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Reprinted from the
BULLETIN OF THE SCHOOL OF ORIENTAL AND AFRICAN STUDIES, UNIVERSITY OF LONDON, *Vol. XLII, Part 2, 1979.*

Published by the
VRINDABAN RESEARCH INSTITUTE
Loi Bazar, Vrindaban (U. P.), India

Rs. 10/-

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(PLATES I–IV)

I

Among manuscripts and documents collected for the Vrindaban Research Institute (VRI)[1] from the Rādhādāmodara Temple in Vrindaban (Uttar Pradesh) are two (referred to below as documents A and B) which contain the text of testamentary depositions in the name of Jīva Gosvāmī.[2] He is known to have founded the Rādhādāmodara Temple and to have been alive at the dates given in the text. It was Jīva who, consolidating the work of his uncles Sanātana and Rūpa, definitively established Vrindaban as the headquarters of the Caitanyapanthī Gauḍīya Vaiṣṇava sect. The testament, which envisages both posthumous implementation and possible revocation, contains Jīva's provisions for succession to the custody of the temple, idols, and library. The principal parties involved are known from other documents in the collection, and most names recur in *Bhaktamāl* and other related literary sources. Its over-riding importance lies, however, in the fact that no written Will has hitherto come to light in India, except those that are clearly influenced by European practice.

The depositions are substantially in Sanskrit and in Nagari script; a small proportion of the text is in Bengali script. The text recto is called *saṃkalpapatrī* 'testamentary deposition' and is dated Saṃvat 1663 (A.D. 1606). Document A, the extant fragment of the original, is in the handwriting of the testator Jīva:

> *śrīrūpasanātana . . . anucarasya vṛndāvanasthasya jīvanāmnaḥ saṃkalpapatrīyam . . . . madīyasvahastalekho 'yam eva.*

The text verso is headed *parapiṣṭalipi* 'postscript verso' and is dated Saṃvat 1665 (A.D. 1608). It may be to be understood from the abbreviation *saṃ* that it too has the status of a *saṃkalpapatrī*. It is of the nature of a death-bed asseveration of the testator and was written by Jīva's close associate Gadādharabhaṭṭa[3]:

> *yadi mama maraṇe sāvadhānatā syāt . . . iti yat pratijñātaṃ tad eva likhyate ca . . . . gadādharabhaṭṭahastena saṃ likhyate.*

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[1] Professor Burrow is a member of the Council of the International Association of the Vrindaban Research Institute, a registered charity dedicated to the task of conserving India's heritage of manuscripts, documents, and artifacts. Without the support of such scholars in Britain and overseas, many thousand manuscripts and historical documents such as the one described here would already be victims of progress in this area of UP, cradle of important Buddhist, Jaina, and Hindu civilizations.

The Association, with the help of the British Academy, the Leverhulme Trust, the School of Oriental and African Studies, the British Library, and the India Office Library, has been able to organize and finance the conservation and cataloguing of much of this material since 1975. Already there have appeared: *Catalogue of Sanskrit manuscripts in the VRI*, I–II (ed. M. L. Gupta, R. D. Gupta, and J. C. Wright, Vrindaban, 1977, 1978); *Catalogue of Bengali manuscripts in the VRI* (ed. T. Mukherjee, London, 1978); *Catalogue of Hindi manuscripts in the VRI*, I (ed. R. D. Gupta, Vrindaban, 1979); 'Photographic documentation of the Braj area: a list of colour slides taken during the IAVRI research project in Vrindaban' (comp. A. W. Entwistle, *IAVRI Bulletin*, v, 1978).

[2] The documents are, according to the unpublished handlist (available at Vrindaban Research Institute and SOAS), numbered respectively VRI, ser. 1, acc. 79A and VRI, ser. 2, acc. 79. For a discussion of relevant biographical and historical data, see section V below. For a discussion of Wills in India before the period of the Anglo-Indian courts, see section VI.

[3] Gadādharabhaṭṭa, according to *Bhaktamāla* and *Bhaktanāmāvali*, was a *kathak* invited to Vrindaban by Jīva Gosvāmī.

The latter deposition is attested by twelve witnesses' signatures, authentic in the original.

II

It may be equally correct, or it may at least serve as a valuable corrective, to describe the language of the main bulk of the document as Sanskritized Braj and the script as Nagarized Kaithi.[4] Jīva, even when writing in Nagari script, uses a substantially Bengali orthography, while Gadādharabhaṭṭa and most of the witnesses tend to lapse into the letter-shapes and abbreviated orthography of Kaithi. The details are evidently of importance for an understanding of the more formal aspects of the subsequently attested Braj Hindi literature. The Sanskrit of the depositions proper is in fact pure enough, but it is notably lacking in elegance and clarity and is over-written in several places with corrections and second thoughts. It is largely composed of formulae that recur in other related documents. The suggestion that it might be wise to classify the document as Braj is thus not to impute to it any very specific regional grammatical structure or vocabulary; nor can it be suggested that any significant proportion of the Jīva document has been adapted into Sanskrit from an Apabhraṃśa original. Nevertheless, the technical terms that introduce each deposition and the formal signatures that conclude the document, i.e. the legal framework of the text, are couched in a distinctly hybrid Sanskrit reminiscent of the Panjabi 'Sahaskriti'[5] and Bengali '*ardhatatsamas*'[6] of

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[4] As mere debased Sanskrit, its interest might be small indeed; but it is perhaps more likely that an Apabhraṃśa tradition has vanished leaving little trace than that a pure Sanskrit one should virtually disappear. It will be noticed that even in this oldest surviving specimen of the genre, there is a most pronounced preoccupation with problems of comprehensibility and authenticity, and the Sanskritization is doubtless in some measure due to a search for clarity. (Rightly or wrongly, this is the motive alleged by the *Ādi Granth*'s commentator for Sanskritization in that context: C. Shackle, 'The Sahaskritī poetic idiom in the *Ādi Granth*', *BSOAS*, XLI, 2, 1978, 310.) The hybrid Sanskrit of document A begins to look silly when 'restored' and transposed into standard Nagari script by the copyist of document B. The modern copy is not generally comprehensible in essentials, and it is only by the most extreme good fortune that even a fragment of the original survived to reach the eyes of a competent archivist.

The corresponding description 'Sanskritized Bengali' could equally be applied to the modicum of Bengali-script material. Though this is in a linguistically pure Sanskrit in the deposition section, it is also formulaic and lacking in cohesion. The Bengali signature is more frankly hybrid. It is first miswritten with a 'Kaithism' (*haridasa-*) and then corrected; and the formulaic manner of signing (simply *haridāsasya*, scil. [*matam*]) is different from the Nagari styles, themselves many and varied, that are attested in this particular document. There is an apparent correlation between an Apabhraṃśa style of signature (*sāṣi gopīnāthajī*; . . . *gopīnā ṭhadāsu*) and the ostensible senility of the handwriting involved.

After this flirtation with Sanskrit *c.* A.D. 1600, related documents are generally bilingual in Persian and Braj, the latter written in a more standard Nagari script and orthography. The Kaithi script survived into the nineteenth century in Awadh and Bihar, but the copyist of B at Vrindaban was generally unable to decipher it where it occurs in A.

[5] This hybrid is attributed to Guru Arjan, an exact contemporary of Jīva Gosvāmī, and to other earlier Panjabi writers. See Shackle's study of this form of Panjabi, loc. cit., 297–313. It is possible to conjecture that the process of Sanskritization reached a peak precisely at the period of our Will *c.* A.D. 1600 (but no detailed comparison of different versions of the same text is yet available: ibid., 308, n. 25).

A definitive explanation of the term Sahaskṛti is still wanting. As Shackle shows, *sahasakiratā* (i.e. **sahaskṛtā*) occurs as a spelling of Pj. *saṃskṛtā*, used in the sense of 'Vedic texts'. It is easy to imagine that a defective spelling of *saṃskṛtā*, say **sasakiratā*, was wrongly identified by a copyist, who had to fall back on ṚV *sáhaskṛta* 'balena yuktaḥ (Sāy.)' for an explanation. The copyist was probably making the same mistake as modern commentators (310, n. 32), and that is not a mistake that should or could be attributed to the original author (otherwise Shackle, 310 f.).

Nor is it necessary to attribute error to whoever was responsible for the application of a similar label (now read as *salok sahaskritī*) to some of the more highly Sanskritic passages in the *Ādi Granth*. We should attribute to him rather the label in the form *ślok saṃskṛti*, for the term *saṃskṛti* is known to have been applied to one of the freer modes of Prakritic prosody (and the

the same period. In view of the decisive role of such technicalities in determining the structure and sense of a stereotyped document, the overwhelming preponderance of Hindi documents over Sanskrit during the seventeenth century in the Braj area, and the relative simplicity of their structure compared with that of the Sanskrit specimens, there seems to be good reason to doubt the anteriority of Sanskrit in this particular context.

Three terms with legal significance occur: *saṃkalpa* (in *saṃkalpapatrī*, *saṃkalpapūrvakam*), *parapiṣṭalipi*, and *sāṣi* (*sāchī*). The first, *saṃkalpa*, is the only term for ' Will ' in the legal sense that is attested in literature which has a bearing on the period before British rule (with reference to an oral deed of settlement: see section VI, below). It seems safe to assume that this application is a nuance stemming from a usage common enough in the Epics: *saṃkalpaṃ kṛ-* ' to determine ', *saṃkalpa* ' vow ' (e.g. *kṛtānaśanasaṃkalpa* BRD, s.v.). It emerges here at the outset in a form compounded with the evident hybrid *patrī*; this is not true Sanskrit but a form based on NIA (W Pj., etc.) *patri* (W Hindi *pattī*, Skt. *pattrikā*).[7] A rendering ' Will and Testament ' for *saṃkalpapatrī* is used below, partly in view of the preoccupation in both documents with attestation by witnesses, and partly to emphasize its special status as a technical term.

The term *parapiṣṭalipi* ' postscript ' is another evidently hybrid formation envisaging Skt. *pṛṣṭha* (cf. Panjabi hybrid *kita*/*krita* for *kṛta* and *tisaṭate* for *tiṣṭhate*). The full ' tatsama ' assimilation is now current in Bengali *parapṛṣṭhe* ' verso ', and the fact that modern tadbhava reflexes of simple *pṛṣṭha* can themselves denote ' wrongside, backside ' may be offered as confirmation that we are dealing with a new formation in Apabhraṃśa, rather than a ' semi-tatsama ' loan from Sanskrit (where **parapṛṣṭha* would seem tautological).

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correct spelling could hardly have been recovered if the malformation *sahaskṛti* had been involved in the development at any point). At the moment, it seems wiser to infer that the arbitrary Prakrit usage derives from the *Ādi Granth* context, where there are excellent grounds for labelling a type of vernacular verse as Saṃskṛti.

Since there appears to be a correlation between use of the label *saṃskṛti* and a more advanced degree of Sanskritization, it seems probable that it was intended to mean just ' Sanskrit ', and not ' bad Sanskrit '. The Pj. tag *salok ḍakhaṇā* (Shackle, 312) with clearly adjectival epithet appears to confirm the correctness of the assumption that *saṃskṛti* has an attributive function in *ślok saṃskṛti*. The more obvious adjectival form *saṃskṛtā* had been specialized to mean ' Vedic ' in the Gurmukhi canon.

[6] Following Grierson and Chatterji, there is a tendency to regard all ' ardhatatsama ' hybrids as half-assimilated loans from Sanskrit. More probably it is semi-Sanskritization, i.e. half-assimilated borrowing *into* Sanskrit from the vernacular, that is substantially involved. If the view taken in n. 5, above, is correct, the term *sahaskritī* itself is a case in point. A fully assimilated loanword in Panjabi (*saṃskritā*) yields a hybrid form (*sahaskritī*) in a context that passes for Sanskrit; this is subsequently available for borrowing into Panjabi vernacular usage without further modification.

Chatterji felt obliged to offer three separate hypotheses, relating to different linguistic epochs, to account for *kasaṇa*, *kiṣaṇ*, and *keṣṭa* as ' semi-tatsama ' borrowings from Sanskrit *kṛṣṇa* into older Bengali (*ODBL*, I, pp. 190 f.). But analogies in the Hindi hybrid (*piṣṭa* for *pṛṣṭha*, below) and Panjabi hybrid (*kita* beside *krita* for *kṛta*) suggest an alternative hypothesis: the vernaculars are simply adopting a variety of literary hybrid orthographies that were current in different genres. If one chooses to describe this as borrowing from Skt., Pkt., and Ap., it should be remembered that Ap. forms are the oldest and that full Sanskritizations are demonstrably the most recently attested, certainly in Bengali. Only Apabhraṃśa *kannha*/*kānha*, *kinnha*/*kenha* need be involved, however, with orthographies variously interpreted as *nh*, *śn*, or *ṣṇ* according to context. The attested Middle and Modern Bengali forms are then rather to be seen as ' semi-tadbhavas ', i.e. vernacular adaptations of orthographically Sanskritized Old Bengali: Middle Bg. **kisana*, *kiṣaṇ*, Modern *kṛṣṇa*; Middle Bg. **keṣ(ṭ)ṇa*, **keṣṭā*, Modern *kriṣṭõ*. Sahaskṛti Panjabi attests the Western or modern forms *krisnaṃ*, *kirsanaṃ* (Shackle, 299).

[7] The form *patrī* is attested also in Braj Bengali (*Caitanyacaritāmṛta*; *Bhaktiratnākara*) in lieu of Bengali *pāti*. In *Bhaktiratnākara* (of Narahari Cakravartī, ed. Ramdev Misra, Mursidabad, 1912), the document referred to is a letter from Jīva to his Bengali friend Śrīnivāsa: *patrikā laiyā, kare patrī pāṭha* ' takes the letter and reads it '.

Similarity in function (and even in form) to the English concept 'Codicil' seems close enough to permit use of that term to translate *parapiṣṭalipi*. As the 'Codicil' in question adds nothing really new, *parapiṣṭalipi* was evidently. something of a legal formality. It does not recur in any later document available; but a comparable feature (*saṃkalpapūrvaka utsarga*) will be observed in connexion with the oral settlement deed.

It may be objected that the term cannot be verified in the missing portion of A, and that *parapiṣṭalipir iyaṃ* might be merely a remark on the part of the copyist B to the effect 'I have found this written on the back, but I am subjoining it on the same side'. The phrase, however, has an exact parallel in *saṃkalpapatrīyaṃ*, which certainly has to be attributed to the original deposition recto. It also matches the terms *patrī* and *sāṣi* by virtue of its hybrid form which would be quite out of place as an innovation introduced into the more modern copy. The amount of space unaccounted for at the top of document A verso suggests that a heading did actually exist, and indeed B formally presents the phrase as a heading (for he makes it overlap with the line that has been drawn to conclude the first section, just as A had done in the case of the subheading *tatra sākṣiṇaḥ* (line 10a v°). Besides, so conscientious an observation is not to be imputed to a scribe who otherwise copies dates and alters authentic signatures without scruple. That the expression *ultimately* derives from such an observation does seem very probable, however.

In documents collected in Vrindaban, forms of the phrase 'witnessed by' range from Sanskritic *atra sākṣī* (and *mataṃ*) to Kaithi *saṣa*. It is possible to suggest that *sāṣi* (11 v°), *sākṣī* (12 v°, etc.), and *sāchī* (13 v°) ultimately represent various stages in the 'Nagarization' of the elaborate Kaiṭhi '*ṣ*'. In other words, we are observing a series of misconceptions that have stemmed from the Kaithi confusion between *kh* and *ṣ* (e.g. Kaithi-Nagari *laṣata*, etc., for *likhitaṃ*): whether the Kaithi letter in question is in fact a Brahmi *ṣ* or *kh* seems open to question. The word which generates so much confusion is probably in fact NIA (e.g. Hindi) *sākhī* from Skt. *sākṣika*. It can have no close connexion with the actual linguistic form **sāchī*, attested only from the Gāndhārī area (**sāchī* forms extend east only as far as Shina, while *acchi* 'eye' is attested into an area of W Pahari: Turner, *CDIAL*, 43 and 13321). No consistent distinction in usage is made in the original document between NIA *sāṣi*, etc., and Sanskritized *sākṣiṇa[ḥ]* . . . *mataṃ* (16–17 v°), etc. The other Sanskritic signatures (e.g. *viṣṇuvicitramataṃ* 12 v° and *haridāsasya* 15 v°) may then attest a progressive abbreviation of the latter rather awkward hybrid. The copyist in document B blatantly rearranges the signatures on the basis of an assumed distinction in meaning between *sākṣī* and *matam*, but the effort is obviously misguided.

The linguistic and palaeographic impurities are one guarantee of authenticity. It is clear that no copyist even of the second half of the same century could hope to imitate such forms as occur here. Until a fragment of the original came to light, no real coherent meaning could be discovered from the copy B. One was conscious there only of explicit forgery: two different and incredibly early dates were juxtaposed and about a score of alleged 'autographs' were clearly all in the same handwriting. The copyist's contradictory efforts to restore a damaged text and to correct an authentic autograph serve only to obscure the sense. When it is considered that a second copyist would inevitably reject A's authentic readings as less 'correct' than B's, it is clear how so much of the social history of India has come to disappear from the face of the earth.

The linguistic features are not the only proof of authenticity. As will be seen, there is documentary evidence of the testator's right to dispose of the property and of the fact that the provisions of the Will were in fact admitted and carried out to the letter (see section V, below). The subject-matter leaves no room for suspicion of malpractice, and the Codicil merely confirms that the testator, now near death, has not changed his mind about the succession to his Shebaitship.[8]

The document is far in advance of the sort of ' evidence ' that has passed muster hitherto, e.g. the form of oral testamentary deposition that the author of *Bṛhadāraṇyaka Upaniṣad* was inclined to impute to Yājñavalkya in a remote and mythic past, and the often blatantly fictional biographies that *Bhaktamāl* and similar literary ' chronicles ' have woven round many of the names that are attested in the Will. That A is the true autograph original is obvious from the exact correlation between the various contributions made to the document and the changes in handwriting. While B's scribe is more notable for a degree of neatness than for any great understanding of the text, it is quite apparent that the authors of the Will, Codicil, and witnesses' signatures are not professional scribes.

III

Document A (pl. I) consists of a damaged fragment of thin, handmade paper measuring 13·5 × 10·6 cm. When it first emerged from a pile of unsorted papers, one side was blank. The paper on the blank side differed slightly in colour and texture from the other, and it was discovered, by removing the backing paper, that the reverse side contained the Codicil and signatures. The first quarter of both texts recto and verso is missing; of the second quarter, about a half is torn away and there is a small rectangular hole near the end. The original had evidently disintegrated; two surviving pieces had been joined together by being pasted on to another piece of paper, so that the Codicil was concealed. As a copy was kept safely in the same building, there is no question of deliberate concealment, merely evidence of incomprehension of the document's real value and interest. The text recto and the text verso are by different hands and the twelve witnesses' signatures are each in an authentic handwriting with one fairly explicit exception (*rāgha*[*va*]*dāsamanoharadāsamataṃ*).

Both texts, recto and verso, are calculated to fill the paper. Comparing the two sides, one might conclude that unused paper had been cut off, so that the text completely fills the paper leaving no room for an unauthorized postscript. The resulting angular cut created difficulties for the witnesses, who were perhaps similarly intent upon filling up the waste space on their side of the page. As the author Jīva has allowed himself a margin and even a marginal insertion, it is evidently again a question of a wonted formality, rather than of the actual expectation of sharp practice.

Document B (pl. IV) is in good condition and written on one side of a piece of handmade paper 23·5 × 10·6 cm. The text is complete, and the two depositions of the original are written consecutively in 43 lines. As happens in document A when the witnesses' section is combined with the Codicil, the heading of the ensuing Codicil paragraph is written in conjunction with the line that had been drawn to fill up the last line of the previous passage. Typical of B's incomprehension is the scribe's failure to recognize the same procedure when it occurs in A: he did not realize that *tatra sākṣiṇaḥ* is the heading of a separate section, and his treatment of the witnesses' section (not quite so illegible as B found it, in his ignorance of Kaithī script) is seriously astray. He arrives at as many as 17 witnesses, adding more names, all still in his own handwriting.

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[8] An earlier signature of one witness Viṣṇuvicitra (12 v°) is available for comparison, see plate II: document belonging to Govinda Temple, Jaipur; photograph to be deposited in SOAS Library; dated Saṃvat 1651 (A.D. 1594).

That B is a copy of A is proved by the clear attestation in B of the hole in the paper that A now exhibits: in principle, B leaves a one-syllable space to denote a lacuna. That it is copied *directly* from A is also certain: there are many scribal errors that can be readily explained on the basis of illegibilities in A, and none that cannot. Interestingly, B does not give the impression that the copyist is aware that A is the original autograph manuscript: while he carefully marks lacunae where he is at a loss owing to the break in the paper, he is willing to 'correct' the document in other circumstances—when it is partly illegible to him and when he (wrongly) suspects the existence of a lacuna at the end of the list of witnesses. There is a correction sec.m. in A that appears to be connected with B's conjectures; it is possibly actually in the handwriting of B (A, 8 v°).

The dates of the original (A.D. 1606 and 1608) are available only from B, for the slightest traces of one of the dates are all that remains of them in A: these are marks referable to the words *saṃvat* and *sudi*, but at least they give tangible support for the assumption that B has copied authentic dates.

No name of scribe or date of copying is given for document B. One might hazard a date c. 1655 on the basis that an extant inventory of the Rādhādāmodara library was taken at that date; the original might have been found, copied, and repaired on such an occasion. While A had already become brittle and sustained damage, B's emendations, though inapposite, are still close enough in time to betray some considerable familiarity with the genre and the personalities involved.

The date of the foundation of Rādhādāmodara Temple, one of five ancient temples in Vrindaban belonging to the Gauḍīya Vaiṣṇava sect, is not recorded, but the tradition that it was founded by Jīva, who thus must have been its first custodian, is borne out by the discovery of a copy of a deed of sale in his name. This states that in A.D. 1558 Jīva Gusāī bought a plot of land from one *Āliṣā Caudhurī*: the boundaries correspond, so far as can be determined, with the site of the Rādhādāmodara.[9]

According to the literature,[10] Jīva installed in this temple an idol made for him by Rūpa, his uncle and teacher; in the temple compound there is a *bhajana koṭhi* (*kuṭī*) 'prayer room' and *samādhi* 'grave' associated with the name of Rūpa. Its most significant feature is the important library of the Gauḍīya sect which it housed; this is mentioned prominently in the Will and it is in its archives that the Will was discovered.[11]

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[9] VRI, ser. 5, acc. 33. The plot runs from the Jumna to Kunja Gali, a street still in existence.

[10] See F. S. Growse, *Mathura: a district memoir*, Bulandshahr, 1880, 237: 'The temple of Rādhā Dāmodara has a special claim to distinction from the fact that it contains the ashes of Jīva, its founder, as also his two uncles, the Gosāins Rūpa and Sanātana'. See also Rādhākṛṣṇagosvāmī, *Sādhanadīpikā*, ed. Haridas Das, Calcutta, 1946, 214: *rādhādāmodaradevaḥ śrīrūpakaranirmitaḥ, jīvagosvāmine dattaḥ śrīrūpeṇa kṛpābdhinā*. *Bhaktiratnākara*, 139: a Bengali, Śrīnivāsa, saw Rūpa's *samādhi* in the compound, while visiting Jīva.

[11] Jīva inherited the libraries of Sanātana, Rūpa, and Raghunāthadāsa (see below). An inventory (VRI, acc. 5452) of the Sanskrit MSS is dated A.D. 1655; a document of A.D. 1706 refers to the *pothipatra* of the temple. Only a small remnant of the library could be salvaged by the VRI, including autograph manuscripts of Sanātana and Rūpa.

IV

In the following edition of the Will, readings conjectured to fill the gaps and illegibilities in A are in round brackets. Letters omitted in A by accident or design (Kaithi) are supplied in square brackets; superfluous readings (delenda) are in angle brackets.

The text of A has been given with the line divisions of the original preserved. Where A's reading is lost and the text is completed from B, it is printed continuously and italicized.

In A, lines 22a–d v° are added marginally in the same hand; a caret mark indicates their place in the text. In B, they have been introduced into the text without comment: an unaccountably awkward sequence of ideas results in B.

Text in Bengali script is enclosed in double quotation marks.

[recto]

labdhaparasparasukhadānatṛṣṇau śrīśrīrādhākṛṣṇau jayatāṃ ————————

saṃvat 1663 varṣe mārgaśīrṣamāsi kṛṣṇadvitīyāyāṃ sugṛhītanāmadheya⟨ya⟩śrīśrīrūpasanātanākhyamahāmahimacaraṇakamalānucarasya śrīśrīvṛ(n)dāvanasthasya jīvanāmnaḥ saṃkalpapatrīyaṃ. mayā yaḥkaścid vyāpāraḥ kṛto [']*yam asti sa sarvo* [']*pi mayārādhyamānayoḥ śrīmatpratimārūpeṇāvirbhāvitayor anayoḥ śrīśrīrādhākṛṣṇayoḥ sevāsaukaryyārtham eva. sā ca sev(ā) prathamata eva sādhucaritāya paramārthamātraparāyaṇāya śrīvilāsadāsāya samarpitāsti. tasmād akhilāni tadīyasevaupayikatayā saṃgṛhītāni*

[10] *madanaṃtaraṃ* śrīvi*lāsadāsasyaiva*
[11] *jñeyāni. kiṃtu madīyadehanāśe* yady asau vairāgyād vā sāmarthyā-
[12] *bhāvād vā svādhi*kāranivṛttim ichet yadi ca
[13] *paramasaccaritraḥ śrībhā*ratācāryyatanūjaḥ śrīmān kṛṣṇadā-
[14] *sanāmā brāhmaṇaḥ sāṃprata*vadanayoḥ śrīśrīrādhākṛṣṇayoḥ ————
[15] *sevāyām api tadānīm api* tiṣṭhet tadā tena śrīvilā-
[16] sadāsena svayam asm*ai sevā*sevopakaraṇāni sevyaśrīśrīrādhā-
[17] kṛṣṇasahitāni sthān*āni* pustakaparyyantāni sarvāṇi madī-
[18] yāni saṃkalpapūrvakaṃ dātavyāni. atra kasyāpy anyasyādhi-
[19] kāro nāsti. madīyaṃ sarvaṃ mayā samarpitaṃ cet kasya vānya-
[20] syādhikāraḥ syāt. yaḥkaścid atra virodhī syāt sa eva
[21] khalu śrīśrīrādhākṛṣṇasevādrohī syāt sarvair vaiṣṇavai rājabhi-
[22] śca daṇḍyaḥ syāt.
[22a] *śrīmataḥ kṛṣṇadāsaviprasyānyathā*bhāve tu śrīvilāsadā-
[22b] *sena svecchayā kasmaicid anyasmai yo*gyāya sarvaṃ samarpaṇīyaṃ.
[22c] *yadi ca mayi jīvaty eva śrīvilāsadā*sasyānyathābhāvaḥ syāt tadā vicāryya samādhe-
[22d] *yaṃ mayaiva sarvaṃ.*
[22] atra tu madīyasvahastalekho [']yam eva
[23] sākṣisahasraṃ. yato y(o ya)s tam imaṃlekhaṃ drakṣyati sa
[24] sa eva sākṣī syāt. ya(di) tad idaṃ saṃprati lokeṣu na
[25] spaṣṭīkṛtaṃ tat khalu saṃpraṇe(tā) kaścit kaścid atra mātsa-
[26] ryyaṃ kariṣyatīti vicāryya(ṃ.) k(i)ṃtu yadi mama maraṇe sāva-
[27] dhānatā syāt tadā tad idaṃ *loke*ṣu spaṣṭam eva jñāpayiṣyāmī-
[28] ti. tad idaṃ gauḍākṣareṇāpi likhyate. “ tad etad eva pramāṇa-
[29] m iti. atha yekecin madiṣṭatamā bhavanti te sarve [']py atra sāhāyyaṃ
[30] kariṣyantīti prārthyate ca ” : kalyāṇam astu kalyāṇam astu

[verso]

parapiṣṭalipir iyaṃ

yadi mama maraṇe sāvadhānatā syāt tadā tad idaṃ lokeṣu spaṣṭam eva jñāpayiṣyāmī-
[3] *ti yat pratijñātaṃ tad eva likhyate ca.*
[4] sa*ṃvat 1665 pauṣa*sudi (*3 uttarāyaṇe saṃkrāṃtau*) *ga-*
[5] dādharabhaṭṭahastena saṃ *likhyate. śrīvilā-*
[6] sadāsasyābhāve ichāyā(ṃ) *vā kṛṣṇadāsena sa-*

[7] rva[ṃ] gṛhītavyaṃ balān neti. *pustakāni śrīgosvā-*
[8] migṛhaṃ cādyaiva ⟨mayā⟩ saṃ⟨kalpa⟩ (dātavyāni.) rāmadāsa*vaiṣṇavenātra*
[9] sarvadā sāhāyyaṃ karttavyaṃ svamaryādā rakṣaṇīyā rā(ma)-
[10] dāsena sāhāyyaṃ karttavyaṃ ——————————
[10a] tatra sākṣiṇaḥ
[11] gadādharabhaṭṭamata   sāṣ[i] gopīn(ātha?)jī
[12] viṣṇuvicitramataṃ   (sā)kṣī vṛṃdāvanadāsaḥ
[13] rāgha[va]dāsamanoharadā-   atra sāchī gopīnā-
[14] samataṃ   thadāsu.   [illegible]
[15] kṛṣṇadāsakavirāja[ma]taṃ   " haridāsasya "
[16] rāghavapurohitamataṃ   atra sākṣiṇa rādhā[ra]maṇa-
[17]   d[ā]samataṃ

Notes on text recto

The opening dedication to Kṛṣṇa and Rādhā may be safely attributed to the original. It contains 21 syllables, equal to the average number of syllable-spaces found in the available 18 Nagari lines of A recto. It has been misplaced in B, and a dash has had to be supplied to complete the line.

The writing of A recto is regular enough to justify the conclusion that the other 216 syllable-spaces attested only in B represented 10½ lines in A recto, at 21 syllables per line. This leaves some small allowance for the writer's tendency to make and delete errors. That the eleventh line began precisely at *jñeyāni* is merely a reasonable supposition.

Some marks occurring in B seem to represent someone's abortive attempt to construe (or to scan) the piece of text that is lost from A. As word-divisions, they soon become unaccountably erratic before ceasing at *śrīvilā'sadāsasya-jñeyā'ni*.

The Bengali substratum in the orthography of A recto is very plain. (1) Final *t* is frequent, especially in pausa (e.g. 12 r° *ichet yadi*, 25 r° *tat khalu*; but 27 r° *syāttadā* in lieu of pausa). This feature, along with a case of final *n* (13 r° *śrīmān kṛṣṇadāsanāmā*) and the interesting tendency to punctuate by means of word-spacing, is possibly a symptom of age (and authenticity) rather than of specifically Bengali orthography: cf. also 1–2 v° *syāt tadā* with pausa, probably at a break between lines in the original (versus *yatpratijñātaṃ* in external sandhi); and 6 v° *bhāve ichāyāṃ* with some implication of caesura.
(2) Homorganic nasals are regular (e.g. 17 r° *paryyantāni*, 22 r° *daṇḍyaḥ*; but B *paryyaṃtāni*, *daṃḍyaḥ* and A, verso 12 *vṛṃdāvana*.
(3) A form of *ṃ* with virāma, corresponding to the Bengali anusvāra, is used in pausa (22b r° *samarpaṇīyaṃ*| and 23 r° *sahasraṃ*|); but not in 19 r° *samarpitaṃcet* with sandhi. The feature is lacking in B and in A verso (10 v° *karttavyaṃ* in pausa).
(4) The treatment of *v* is relevant. A recto offers only *v* (no instance of *b* occurs); on the other hand, A verso has the Kaithi and Braj dotted *v* in one case (16 v°), as well as an apparent instance of a distinct *b* (7 v°).
(5) Part of the text is written in Bengali script, a stereotyped feature of the genre as will be seen. (One of the witnesses in A verso signs in Bengali script.) The copyist of B, a capable scribe of Bengali, does not observe the distinct *b* in 7 v°. He maintains the erratic sandhi features listed in (1), but drops the more significant word-spacings.

The hole is probably still exactly as B found it. He normally leaves a space on reaching it, but he reads *lokeṣu* correctly at 27 r° where only *ṣu* is now available and *kavirājamatam* at 15a v° where little more than *kavirāja* remains.

The former reading is easily inferred from the fact that the same passage is explicitly quoted verso; and the latter reading in any case implies a measure of conjecture on the part of B. B may have seen *kavirāja[ma]taṃ* and supplied *ma* (he supplies a missing letter similarly at 13 v°), but he may equally have made the guess from the existing text. Otherwise, B's readings and misreadings show that at the hole he saw exactly what can now be seen and no more.

12 r°. Cancellation of an error must account for the shortness of this line in A.

15. After *tiṣṭhet tadā*, A deletes *svayama* (see line 16). Was this an error in drafting or an error in copying from a draft ? The occurrence of rephrasing at 22, 24, and also in A verso may confirm the former supposition.

16. B *sevāsevaupakaraṇāni*, an error.

20. B *virodhi*, an error.

21. B *sevādrohīt*| *sarvai vaiṣṇavai*, three errors.

22a–d. The marginal insertion was made after the text recto had been completed, judging by the positioning of the inserted lines. It appears to be a pure afterthought, for it breaks the sense of the document where it stands. Evidently the contingency envisaged did not arise: at any rate, the Codicil ignores the complication. The traces of writing that seem to appear in the photograph below the last syllables of 22c suggest a first draft *samādheyam iti*, with erasure as in line 15.

23. B *yatoye stadimaṃ*, with a space denoting lacuna.

24. B *ya tadimaṃ*, with a space denoting lacuna.

25. B *sampraṇayakaścitkaścidatra*, an impossible conjecture; the reading *saṃpraṇe-* which must imply *saṃpraṇetā* is more evident in another photograph not reproduced here; for comparison, *ṇe* occurs also in the next line.

26. B *vicāryya yadi* with a wider space for the lacuna.

28. B *tedidaṃ*. The mark on the paper of A which gave rise to the foolish reading *-e* is a blemish that continues on into the *di*. B *gauḍākṣareṇalikhyate*, imagining the *pi* to be a cancelled duplication of *li* and ' correcting ' *ṇā* into *ṇa*.

29. B *tesarvvepyatrasāhāryyaṃ*.

30. B *kalyānamastukalyāṇamastu*.

Notes on text verso

The writing is very irregular; but lines 5–7 v° contained 16 syllable-spaces each, and the undue length of 9 v° (19 spaces) and 8 v° (21 spaces, crammed at the end, if B is a correct reading) may result from the over-writing of corrections in line 8. Assuming that the opening was relatively tidy, the 45 spaces lost will have been arranged in three lines in the original. As B recognizes *parapiṣṭalipir iyaṃ* to be a heading, disposing it exactly as A disposes the heading *tatra sākṣiṇaḥ* over a line drawn to complete the first paragraph, we may conclude that in A the phrase was written separately and not within the following paragraph.

The Kaithi element in the text of the Codicil is less marked than in the signatures. One may point, however, to the open *bh* (6 v°) and angular *c* (8 v°); the *d* has a tendency, notably in the writer's own signature, to approach the markedly Kaithi *d* of Gopīnāthadāsa's signature (14 v°). It seems significant that the writer, Gadādharabhaṭṭa, has lapsed into Hindi for his signature by omitting anusvāra (cf. *-dāsu* in 14).

Other Kaithi features in the signatures are the *ṣ* (for *kh*) already noted; the *a* (reminiscent of a Nagari *śra*) and *sāchī* of Gopīnathadāsa; the dotted *v* of Rāghavapurohita; and above all the *rādhā* of Rādhāramaṇadāsa (B reads *atra sākṣiṇa rādhā[ra]maṇa* as *atra sākṣi nāthabhaṭṭa* !). The tendency of the administrative scripts to dispense with vowels is apparent: *sāṣa* for *sāṣi*, *rādhāramaṇadasa* for *-dāsa*, possibly *rāghadāsa* (for *rāghodāsa* ?), *sākṣiṇa* (for *sākṣiṇo* ?), and *ṣa* (for *sāṣi* ?) in the additional signature, unexplained as yet, in 14. There is one case, found in other documents too, of *-dāsu*, an Apabhraṃsism.

The placing of the signatures shows that they were written from left to right side by side, as follows:

a	*b*
c	*d*
e–f	*g–h*
i	*j*
k	*l*

Thus we infer that *d*, *g–h*, and *l* are displaced to the right by encroachment of items in the left-hand column. On the other hand, the encroachment of *h* may be responsible for *j*'s need to revert to a vertical alignment with *b*. The gradient of *i* accords with that of *e–f*, so it is probably not in fact veering away from a pre-existing *j*. Rather, *j* is at pains to align horizontally with the beginning of *i* and vertically with the beginning of *b*: Haridāsa (*j*) and Jīva, the two who make use of Bengali script, alone can boast some formal training in penmanship. The splitting of *e–f* into two lines presupposes the prior existence of *b* and *d*; *k* is displaced by *i*. It seems evident that *g* wrote daṇḍas (so that *h* might follow on) only in order to achieve symmetry with *e–f*.

The reconstruction of the signing process is important, because the copy B differs so markedly in its readings and presentation. Since it is demonstrably mistaken in its interpretation of sequence, we may the more safely rest assured that it is utterly mistaken in its readings and emendations.

1–2 v°. B's correction of *jñāpayiṣyāmi* to °*mī* presumably indicates that *-ti* began the third line in the original, so that he first misread *-mī* as *-mi*.

4. The traces in A can be referred only to *saṃvat* and *sudi* (that the start of the line fell at *saṃvat* receives some confirmation from the observation on *jñāpayiṣyāmi* in B). A cannot have had the date written in full, therefore, and *3* for *tṛtīyāyāṃ* in B is a likely conjecture which fits the traces. B reads *1665 varṣe pauṣasudī tṛtīyāyāṃ uttarāyaṇe makarasaṃkrāṃtau*; there is no room for *varṣe*, and the conjecture *sudi 3* on the basis of the traces in A is a satisfactory improvement on *sudī*. There is no room for *uttarāyaṇe makarasaṃkrāṃtau*, which in any case appears to be tautological. The reading given, *uttarāyaṇe saṃkrāṃtau*, accounts best for the space available.

5. B reads *lekhyate* with a space after the preceding *saṃ* which shows either that he recognized *saṃ* as an abbreviation for *saṃkalpa*(*patrīyaṃ*), understood from the passage recto, or merely that he did not recognize *saṃlikh-* as a compound verb. The traces in A are clearly consistent with *likh-* and this gives better sense, though one can sympathize with B's desire to read a causative in the context of dictation. In fact, the sense of dictation is implicit in *hastena*, and the causative is not plausible in conjunction with that expression. As we are inclined to believe that B has himself rightly interpolated *saṃkalpa* below into A, 8 v° as an expansion of the same abbreviation, we suggest that the space in B serves for once to mark the abbreviation. As Raghunāthadāsa Gosvāmī in his versified settlement used *saṃlekhya patram* (see section V), one cannot be certain that B is right in *this* instance.

6. B *ichayā vā*, another erroneous emendation, indicating another absence of anusvāra in A ?

7. B fails to remedy the omission of anusvāra; B *valān*, an insensitive reading of the differentiated (or at least undotted) *ḇ*.

8. A has *mayā* and '*kalapa*' written above the line in a hand consistent with that of B, but hardly with that of A (cf., in A verso, the round *l* in line 7, the shape of *k* in 9 and 10, and the cases of rectangular *m* in 9). It is improbable that Gadādharabhaṭṭa would write anything of the sort. He does not otherwise use interlinear emendation (this being inconsistent with legal caution ?). It would be very foolish of him to refer to the testator Jīva using *mayā* (*mama* in 1–2 v° being explicitly a quotation from the previous document). The emendations are only comprehensible as leading to B's reading *mayā saṃkalpitāni*, and this reading is not obviously very consistent with the traces remaining in the fragment or with the sense of the basic document recto which is here recapitulated in the Codicil (17–18 r°: *sthānāni pustakaparyyantāni sarvāṇi madīyāni saṃkalpapūrvakaṃ dātavyāni*, corresponding to 7–8 v° *pustakāni śrīgosvāmigṛhaṃ cādyaiva* ⟨*mayā*⟩ *saṃ*⟨*kalpa*⟩ . . .). What is to be read thereafter in the fragment is a matter of opinion, but we are able to compare the photographs taken both before and after treatment for conservation (pl. I and pl. II, respectively). It seems certain from the latter that the first reading was *saṃ dāta-*, i.e. *saṃ*° *dāta*(*vyāni*) for *saṃkalpapūrvakaṃ dātavyāni*, as is to be expected from the parallel use of *saṃkalpapūrvakaṃ dātavyāni* in 18 r°. It is therefore possible that *saṃ dāta-* has been altered to *saṃ tāni* in A by the copyist B in the interests of promoting his implausible reading *mayā saṃkalpitāni*. More sophisticated study than present financial resources permit may solve the dilemma. The photograph of the untreated document might equally be thought to indicate a prim.m. correction *-vyāni*; but as this would seem to have been written on top of the syllables *dāta-* when they should properly follow them, a rather crass error in writing from dictation would have to be assumed. On the evidence of B's helpless reaction to the overwritten corrections at 10 v°, the probability is that the fragment that is now lost held some overwritten syllables, probably *-vyāni* plus daṇḍa, and that B assumed they were intended to be deleted altogether. It is preferable to suppose that B has then attempted a correction based on the adjacent formula *madīyaṃ sarvaṃ mayā samarpitaṃ cet* in 19 r°, than that Gadādharabhaṭṭa in a nonsensical manner has himself telescoped the two formulae of the corresponding text recto.

9. B reads *sāhāryyaṃ* wrongly and omits (as illegible) the repetition *rāmadāsena* . . . .

10a–11. While A reads *tatra sākṣiṇaḥ* as a heading and does not single out the first two signatures in 11 v° (Gadādharabhaṭṭa and Gopīnāthajī) as a separate pair, B transposes Gadādharabhaṭṭa to the end of the passage that was written by him in the original and offers (in place of what we read as Gopīnāthajī) three names with equal pride of place as compared with the remainder:

atra sāchī parasīvarajī
atra sāchī sītalagauḍiyā
atra sāṣi kṛṣṇadāsa

At first sight unconnected with the original it nevertheless seems necessary to assume that these represent some fanciful emendation on the part of B, based on the letters of the misunderstood heading *tatra sākṣiṇaḥ* and the ill-written *sāṣi gopīnāthajī*, that seemed to the copyist to share with Gadādharabhaṭṭa, or even to oust him from, the status of principal witness. Thus *sāṣi* in B unquestionably reflects Kaithi *sāṣi* in A, 11 v°; A's next syllable, a very senile *go* which tends to resemble *gau*, is reflected in B's *gauḍiyā*; and *parasīvarajī* is likely to be his emendation for the illegible *p . . . . . . jī* in A. Kṛṣṇadāsa is one of the commonest names among the Gauḍīya bhaktas; Parasī and Birajī are mentioned as brothers in a deed of sale in A.D. 1611 [12]; and *gau* occurs elsewhere as an abbreviation for *gauḍa*; so it is easy to follow the train of thought. The phrase *tatra sākṣiṇaḥ sāṣi gau° pa . . . . . . jī* suggested to B the need to reconstruct three plausible names that would account for the plurality of *sākṣiṇaḥ*. The phrase must have seemed to the copyist a self-contained intrusion into the position that rightly belongs to Gadādhara; to his mind, the plural would not relate to Gadādhara alone and ruled out any possibility of his reading *sāṣigopīnāthajī* as a single name.

Illegible as the letters are in the original, *sāṣi gopīn . . . . . . jī* seems safe, and no other restoration than Gopīnāthajī comes to mind among the names then current. The *pī* and *jī* are best seen in plate II. The letter following *n* has much the same length as the vertical stroke of *n*, and to that extent qualifies as an extremely shaky *-ā*. The next letter is conceivably a *th* with a now almost circular ' vertical ' element, a phenomenon not without parallel in the Mahajani scripts. The *j* has a definite Mahajani aspect. There may be a caret intended below *sā* in A to draw attention to the cavalier treatment of *-i* in *sāṣ[i]*.

12–17. B probably next reads *śrīvṛṃdāvanadāsaḥ* from the right-hand column, followed by the bulk of the left-hand column. Then he sees *atra sāchī* in 13 as introducing a new section comprising the bulk of the right-hand column; and he similarly treats *atra sākṣiṇa* in 16, read as *atra sākṣi nā(thabhaṭṭaḥ)*, as a separate item, to accommodate which he continues clockwise round the margins. Finally, we seem to have a fairly massive conjectural restoration of five additional names, attributable to B's inability to understand 16–17. B is wrong in every particular. The distribution of the names in A shows that they were written side by side in lines, not columns; and *atra sākṣī* and *mataṃ* names are not distinguished in the original, in the way the copyist seems to imagine.

12. B's *śrīvṛṃdāvanadāsaḥ* is an erroneous restoration: *sā-* is still clear, despite the hole, and plate II (after conservation) confirms that the remaining syllable was not originally *śrī*.

13. B *rāghavadāsa*.

14. B reproduces *-dāsu* and a single daṇḍa, but ignores the illegible eighth signature.

15. B *-kavirājamataṃ*, a possible emendation, but not a possible reading. One may assume that *taṃ* was written with a subscript caret as in 16. B wrote *haridasasasya* and corrected this to *haridāsasya*; in fact, A wrote *haridasa-* and corrected this to *haridā-* by deleting *sa* so that the vertical stroke remained. The resulting reading in A is thus already correct; but coupled with the case of *dasa* in 17, a Kaithi habit underlying even the Bengali hand can be inferred.

16. B *atra sākṣi nāthabhaṭṭaḥ*, thus emending the hybrid *sākṣiṇa* (intending a genitive with *mataṃ* perhaps), and reading the Kaithi *rādhā* as *nātha*. This is partly excusable as there is a caret (for the probable reading [*ra*]*maṇa*) which might be thought to delete the second *ā* of *rādhā*. The next letter is clearly *ma*, not *bha*.

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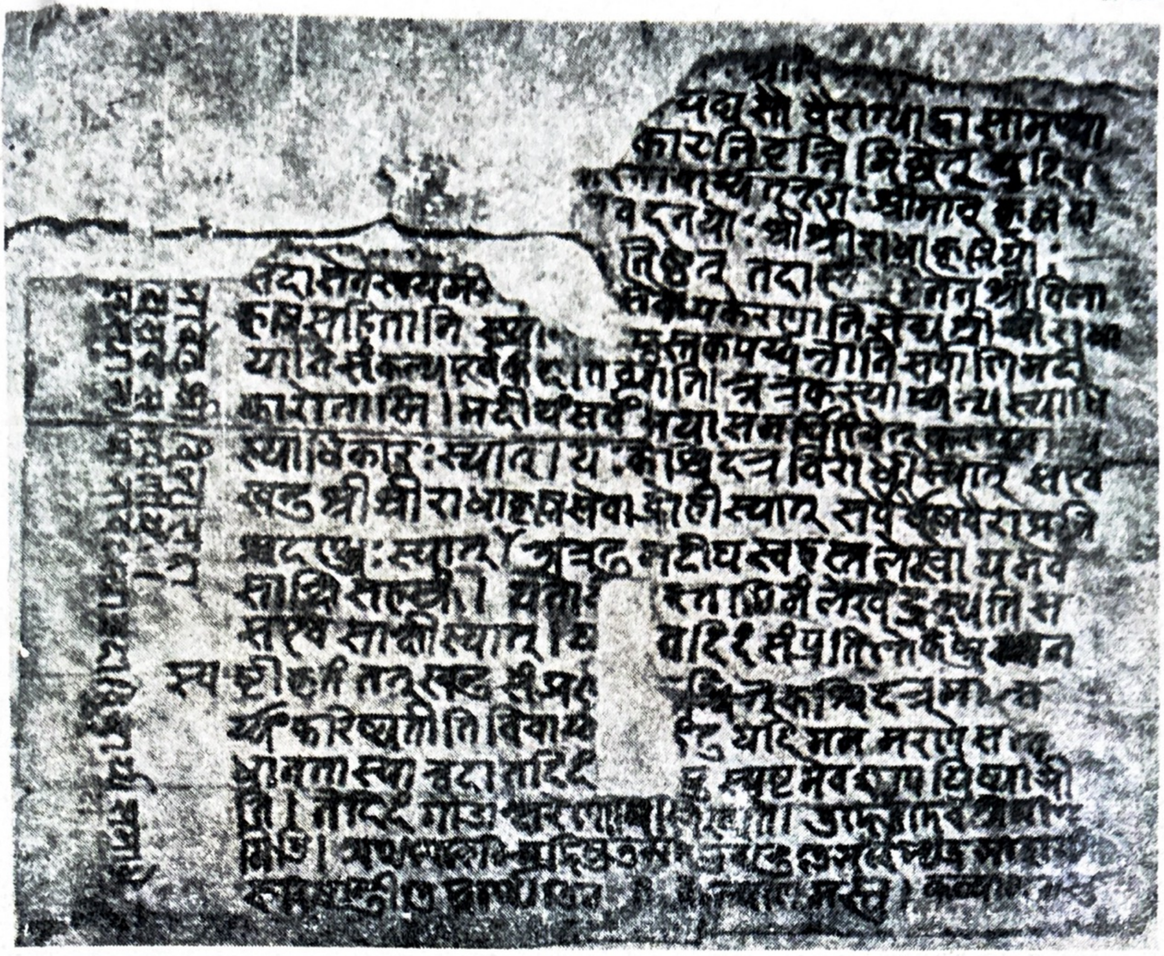
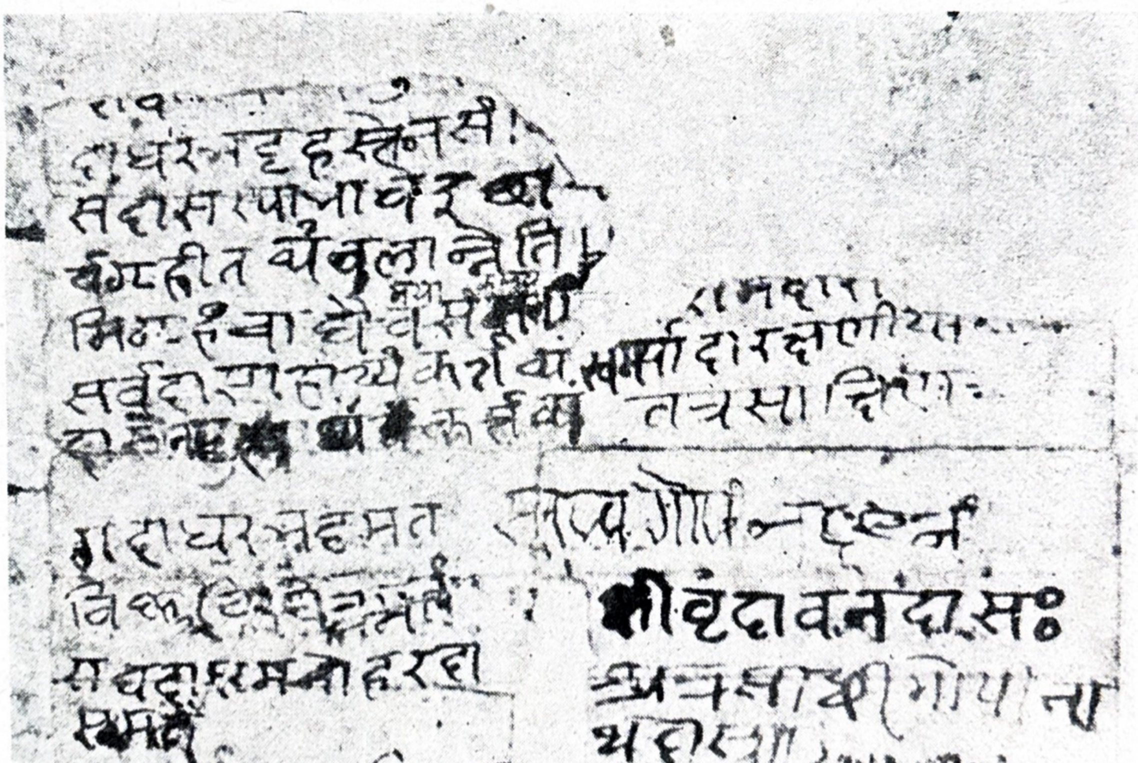
[12] Mathura Court, suit no. 23 (1946), list no. 184/C, ser. 11.



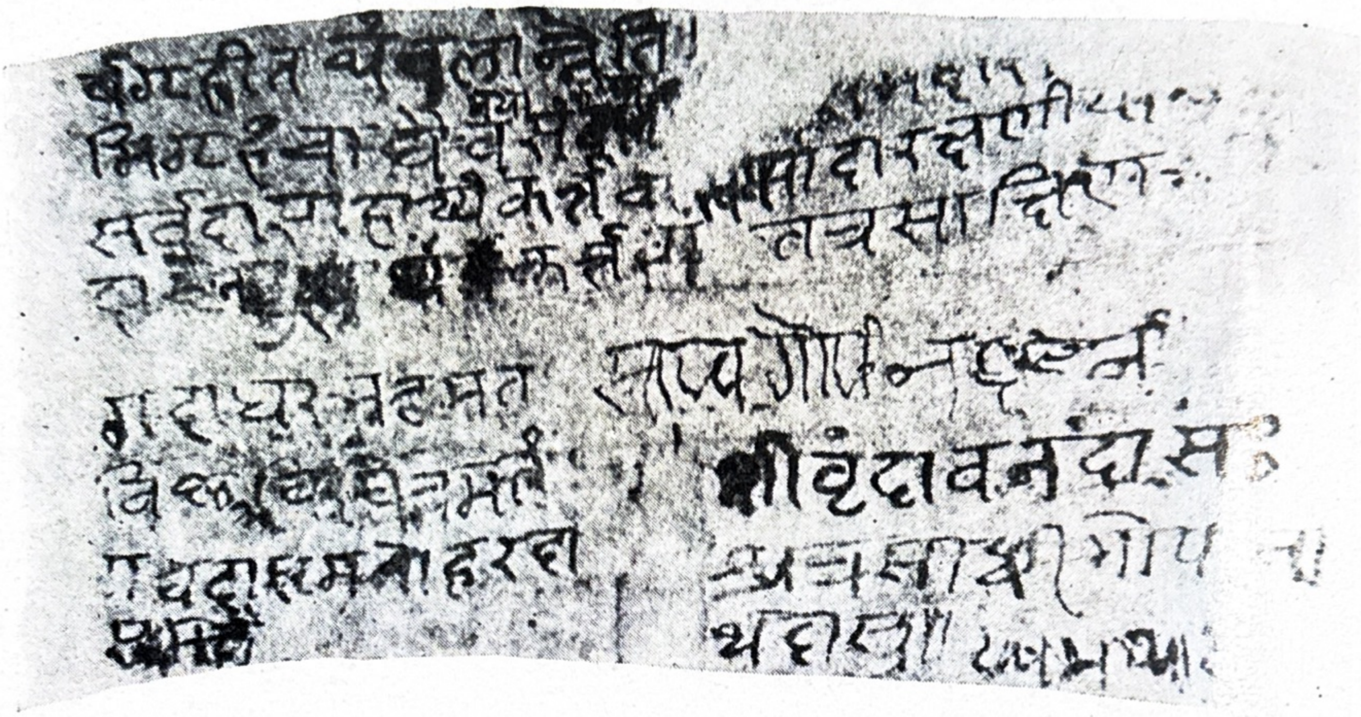
22a
22b
22c

A, recto: A.D. 1606

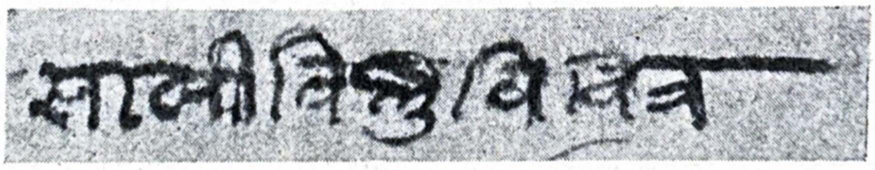


A, verso: A.D. 1608

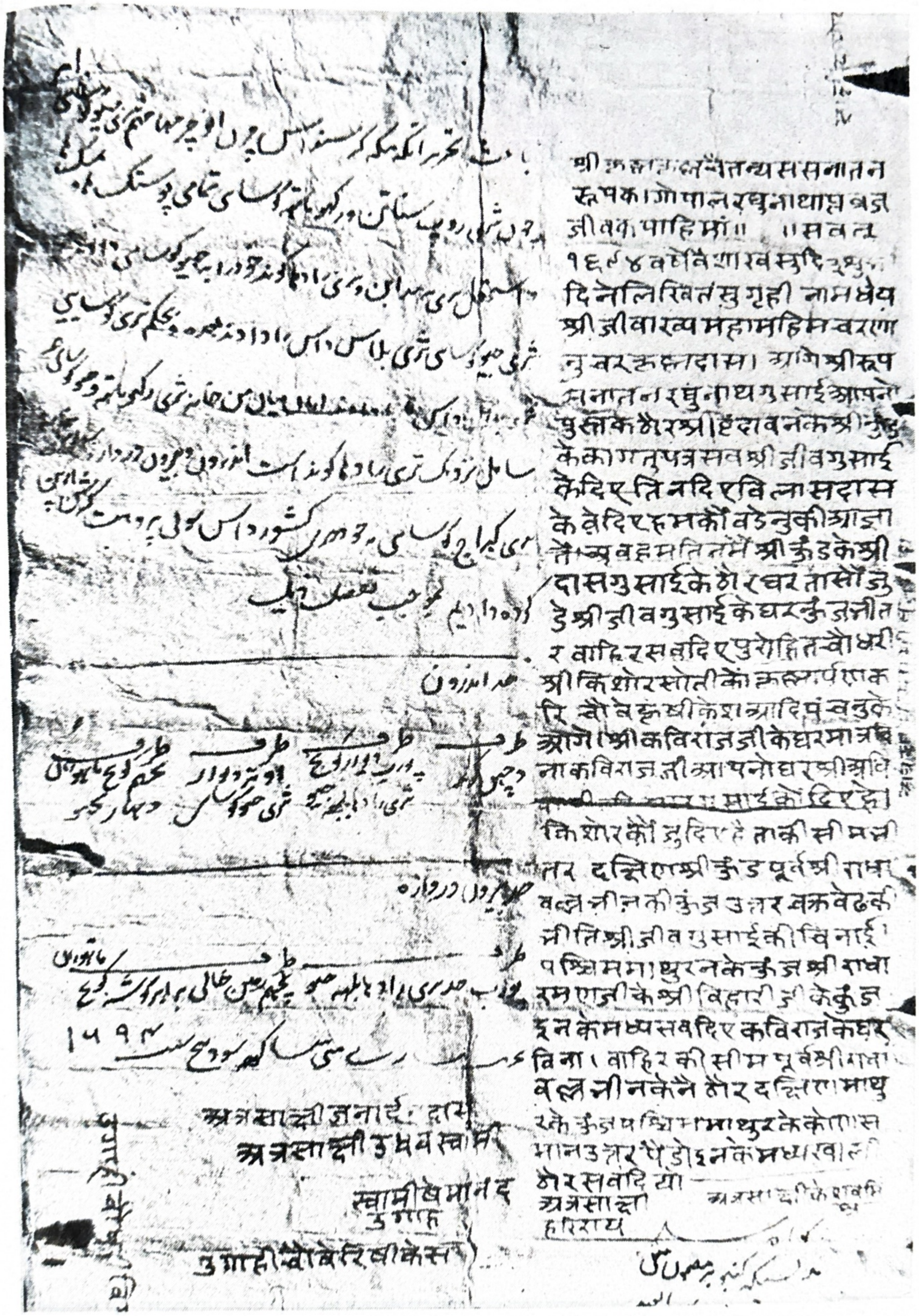
PLATE II



A, verso (detail)



Signature of Viṣṇuvicitra, A.D. 1594

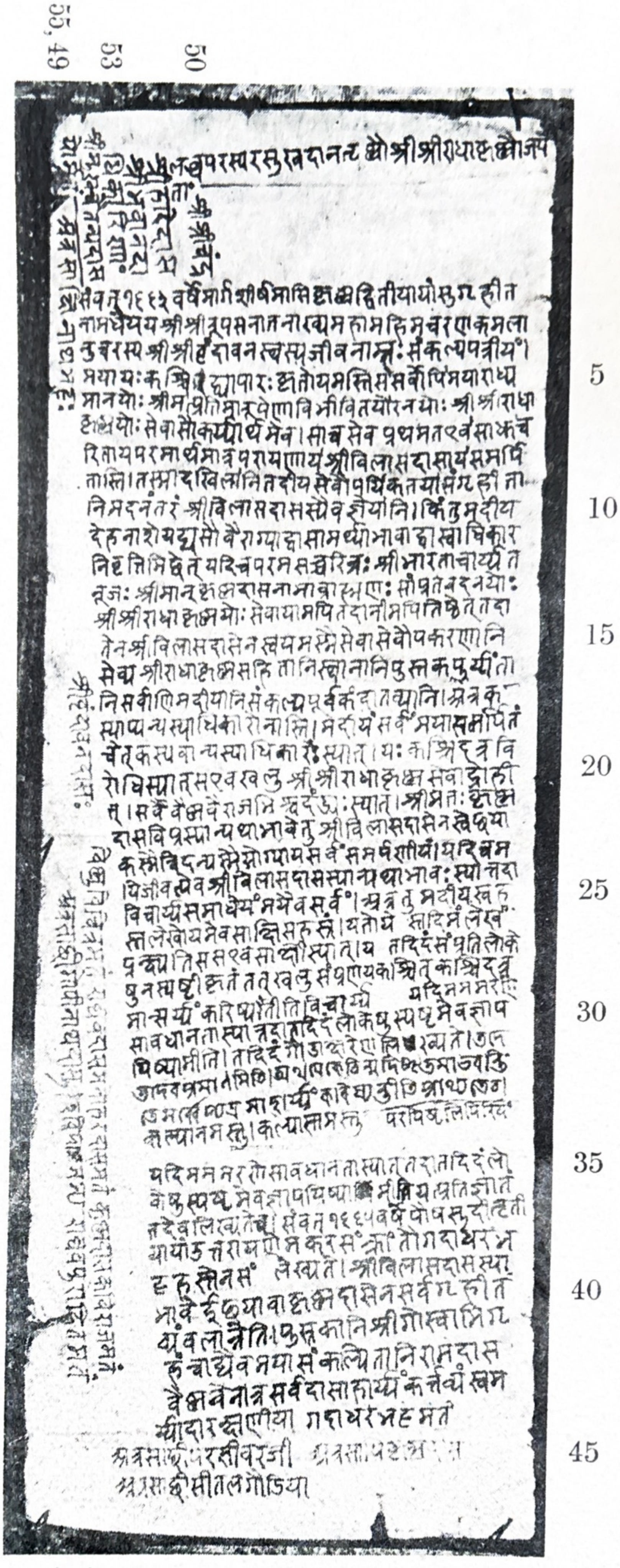


श्री कृष्णचैतन्य स सनातन
रूपक। गोपाल रघुनाथाश्च व्रज
जीवक पाहि मां॥ ॥संवत
१६९४ वर्षे वैशाख सुदि [illegible]
दिने लिखितं सु गृही नामधेय
श्री जीवाख्य महामहिम वरण
नुचर कृष्णदास। आगे श्रीरूप
सनातन रघुनाथ गुसाई आपने
पुस्तक ठौर श्री वृंदावन के श्री [illegible]
के कागत पत्र सब श्री जीव गुसाई
कै दिए तिन दिए विलासदास
के वे दिए हमकौं वडेनु की आज्ञा
तैं अब हम तितमैं श्री कुंड के श्री
दास गुसाई के ठौर घर तासौं जु
डे श्री जीव गुसाई के घर कुं जनीत
र वाहिर सब दिए पुरोहित त्वौ धरी
श्री किशोर सोती कौं कृष्णार्पण क
रि चौवे कृष्ण श्री केशव आदि पंचनु के
आगे। श्री कविराज जी के घर मात्र वि
ना कविराज जी आपनो घर श्री अधि
~~[illegible]~~ साई कौं दिए है।
किशोर कौं जु दिए है ताकी सीम अं
तर दक्षिण श्री कुंड पूर्व श्री राधा
वल्लभ जीन की कुंज उत्तर वक्र वेढ की
नी ति श्री जीव गुसाई की विनाई
पश्चिम माथुरन के कुंज श्री राधा
रमण जी के श्री विहारी जी के कुंज
इन के मध्य सब दिए कविराज के घर
विना। वाहिर की सीम पूर्व श्री राधा
वल्लभ जीन के ठौर दक्षिण माथु
र के कुंज पश्चिम माथुर के कोठास
मान उत्तर पैंडो इनके मध्य खाली
ठौर सब दिया।
अत्र साक्षी
हरिराय

अत्र साक्षी केशव [illegible]

अत्र साक्षी जनार्दन दास
अत्र साक्षी उधव स्वामी
स्वामी खेमानंद
उगाह
उगाही चौवे रिषीकेस

Document of Kṛṣṇadāsa: A.D. 1637


55, 49
53
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B: undated copy of A

17. B reads *śrīśrīcaṃdraśrīharidāsaśrībhavānaṃdādhikāriṇāṃ śrīmukha-caitanyadāsayor mataṃ* followed by a line denoting conclusion. These extra five names have a partial basis in A *dasamataṃ*, which from its position B presumably imagines indicates a lacuna in A (certainly not the case). Again the names can be traced in other documents, roughly contemporary with this one, so one may assume that B has collated a passage from some other irrelevant document. The use of *śrī* in these signatures, common later, is not in keeping with its avoidance in A.

Translation

[recto]

Hail Śrīkṛṣṇa and Śrīrādhā who yearn to confer happiness upon one another.

1–10 On day 2 of the dark half of month Mārgaśīrṣa in the Saṃvat year 1663 (A.D. 1606) this is the Will and Testament of Jīva, a resident of Śrīśrīvṛndāvana and a follower of the lotus feet of Their Reverences the happily named Śrīsanātana and Śrīrūpa.

This entire undertaking of mine is all for the sake of facilitating the service to this Śrīkṛṣṇa and this Śrīrādhā who are manifest as the glorious idols which I worship. And that service is conveyed in the first instance to Śrīvilāsadāsa, a holy man entirely intent upon the supreme truth. Therefore all materials that have been collected as a means of serving them are to be deemed to belong to Śrīvilāsadāsa in direct succession to me.

11–18 But if after my physical death he should desire to relinquish his rights either as a result of renunciation or of disability and if the most virtuous brahmin Śrīkṛṣṇadāsa son of Śrībhāratācārya at that time still also continues in the service of the Śrīkṛṣṇa and Śrīrādhā whose features are presently revealed, then the said Śrīvilāsadāsa shall freely convey to him by Will the service and materials instrumental in the service together with the Śrīkṛṣṇa and Śrīrādhā that are the objects of the service, the premises including books, all my possessions.

18–22 No other person has any rights in the matter. Or surely no other could have rights, given that I have conveyed my own property. Whosoever might dispute it would indeed contravene the service of Śrīkṛṣṇa and Śrīrādhā and would be liable to punishment by the Vaiṣṇava community and temporal rulers.

22a–d If, however, the brahmin Śrīkṛṣṇadāsa's circumstances should alter, Śrīvilāsadāsa shall convey the property of his own accord to any other fit person. And if Śrīvilāsadāsa's circumstances should alter during my lifetime, I shall after due consideration dispose of the property myself.

22–28 Furthermore this is a document in my own hand, there are 1000 witnesses. For, as many as will see the said handwriting, each one may bear witness. If this matter has not now been made clear to all persons, then indeed there is a danger that some person in authority will infringe it selfishly. But if there should be concern about my death then I shall communicate this matter clearly to all persons.

28–30 The following is written also in Bengali script: 'That this may be authoritative. And further it is requested that all whosoever are my most chosen colleagues will collaborate therein.' Amen, amen.

[verso]

Codicil

1–3 And the following is written in respect of the intention expressed 'If there should be concern about my death then I shall communicate this matter clearly to all persons'.

4–5 At the winter solstice on day 3 of the light half of month Pauṣa in the Saṃvat year 1665 (A.D. 1608), this Will and Testament is written by the hand of Gadādharabhaṭṭa.

5–7 The property is to be taken by Kṛṣṇadāsa in the absence of Śrīvilāsadāsa or if Śrīvilāsadāsa so wishes, not on his own authority.

7–8 The books and the priests' residence are to be conveyed forthwith according to the Will.

8–10 Let Rāmadāsa Vaiṣṇava ever collaborate therein, let no one exceed his authority, let Rāmadāsa collaborate.

11–17 Witnesses

Gadādharabhaṭṭa
Viṣṇuvicitra
Rāghavadāsa and Manoharadāsa
Kṛṣṇadāsakavirāja
Rāghavapurohita
Gopīnāthajī
Vṛṃdāvanadāsa
Gopīnāthadāsa. (illegible)
'Haridāsa'
Rādhāramaṇadāsa

Notes on the translation

The intended meaning is conveyed in the text in a somewhat roundabout manner, using, unfortunately, a wide variety of different Sanskrit phrases to convey the same or similar meaning. Documents attested in Braj Hindi offer much simpler expressions, and these do not seem to convey any significantly different meaning from that intended by the more varied Sanskrit clichés. Thus just as the complex wording of the witnesses' signatures seemed to be ultimately reducible to a basic Hindi form **sākhi gopīnāthadāsu* or the like, so also the phrasing of the Will could reflect a conflation of various alternative Sanskritizations based on Apabhraṃśa. A similar document drawn up by a certain Kunjadāsa in 1723[13] contains virtually all the general Sanskrit formulae that Jīva employs, but expresses the basic bequest in Hindi as *sevādhikāra dīyā*. A more nearly contemporary settlement refers back to Jīva's Will with Braj *āge . . . die* and bequeaths the property in his turn using the phrase *kṛṣṇārpaṇa kari*; a few lines later he refers back to this latter bequest with *die hai* (see below, section V). As against this, Jīva's Will and Codicil offer *sevā samarpitāsti* (1–10 r°), *sevāsevopakaraṇāni saṃkalpapūrvakaṃ dātavyāni* (11–18 r°), *samarpaṇīyaṃ* (22a–b), *samādheyaṃ* (22c–d), *gṛhītavyaṃ* (5–7 v°), and *saṃ° dātavyāni* (conjectural reading, 7–8 v°).

The upshot, ignoring the misleading variations in phraseology, is as follows:

Will	1–10 r°	The *sevā* is hereby bequeathed to S as my successor.
	11–18	If I am dead and Ś is incapacitated and K is not incapacitated, Ś must bequeath the *sevā* to K.
Insertion	22a–b	If [I am dead and] Ś is incapacitated and K is incapacitated, Ś must bequeath it as he sees fit.
	22c–d	If I am alive and Ś is incapacitated [and K is incapacitated], I will bequeath it as I see fit.

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[13] VRI, ser. 18, acc. 22. No photograph of this document that is adequate for reproduction is available as yet.

Codicil	1–3 v°	Statement made on my deathbed.
	5–7	If Ś is incapacitated, K is to receive the bequest.
	7–8	The bequest is to take effect now.

Like many another legal document, the structure of the text is itself a stereotype. The complex formulae of the main provisions 1–10 r° and 11–18 r° seem to generate the insertions 22a–d willy-nilly, for no point of practical substance emerges and the Codicil in a sense ignores them. The fact that important steps in the argument (in square brackets above) have to be supplied by inference from what has gone before adds another dimension of obscurity to the imprecise use of language. Besides, the insertions are logically misplaced, for they break into the lengthy set of formulaic generalities (18–30 r°) that form the conclusion.[14] That the Codicil attaches itself explicitly to one of these generalities, proclaiming itself merely a clarification of the terms of the Will, is also not entirely logical. It constitutes in fact a restatement of its provisions in the new context of the testator's impending death.

In effect, the structure of the Will is reversed in the Codicil, but the correlation remains very loose. The opening of the Codicil 1–3 v° refers to the Will's closing generalities (26–28 r°) and revokes, or rather tacitly supersedes, the insertions (22a–d). Codicil 5–7 v° then restates the subsidiary provision of the Will (11–18 r°), or rather it substitutes an alternative and simpler formula, combined with an incidental gloss (*balān neti*) which does scant justice to the foregoing rather grand promise of clarification. Codicil 7–8 v° at last brings into immediate effect the basic bequest of the Will (1–10 r°), and some brief generalities follow. The Codicil is thus an altogether simpler and superior (and possibly therefore more primitive) form of testament than that affected in the Will proper.

It seems improbable that the new formula with *adyaiva* would affect the status of the donation as a posthumous bequest. The whole phrase *saṃkalpa-pūrvakaṃ dātavyāni* appears to have been taken over from the context of the Will without much forethought. An emendation to *adyaiva saṃkalpitāni* is offered by the copyist, but this hardly solves the problems that arise over tense, once one strays from the present perfect.

1–10 r° *vyāpāro 'yaṃ* 'this undertaking' will refer to the drawing up of the Will. The connexion between proper legal safeguards and *sevāsaukarya* is again stressed at 21 r° *atra virodhī . . . sevādrohī syāt.* Any more general interpretation of *vyāpāra* would render it tautological beside *sevā.*

śrīvilāsadāsāya 'to Śrīvilāsadāsa': the Codicil supports the obvious assumption that *śrī* is part of the name (*śrīvilāsadāsa, kṛṣṇadāsa, rāmadāsa*). This Codicil usage conflicts, however, with the usage in the Jīva Will and in Kṛṣṇadāsa's own settlement (below, section V). There we have respectively *śrīvilāsadāsa, śrīmant kṛṣṇadāsa, śrībhāratācārya*; and *vilāsadāsa, śrīkavirājajī . . . kavirājajī, cauve hṛṣīkeśa.* It is possible that Jīva merely solves the linguistic problem of the ambiguity of *śrīkṛṣṇa* differently on the two occasions, once with consistent *śrīmant kṛṣṇa* and once with plain *kṛṣṇa.* Perhaps *śrīśrī* seemed out of place in relation to colleagues' names; and use of *śrīśrī*, then as now, tends to be linked with dvandva compounds to which each member may theoretically contribute one *śrī.*

sevā . . . samarpitāsti 'the Shebaitship is bequeathed'; the argument as a whole, detailed above, rules out any possibility that *samarpitāsti* implies immediate renunciation of rights. The context of a *saṃkalpa* or 'undertaking' and the subsequent specification *madanantaraṃ* contribute the necessary implications. See also Notes on the text *ad* line 8 v°.

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[14] In Kunjadāsa's document of 1723 (note 13), a similar proviso occurs, again illogically in the same position after the formula . . . *daṃḍya[ḥ] syāt.*

11. It follows that *dehanāśe* 'after physical death' is not intended to contrast with a voluntary renunciation of office, but merely matches, suitably grandiloquently, the adjacent reference to *vairāgya*. The alternative forms of Will embodied in the Jīva Codicil and in the 1723 Kunjadāsa document (note 13 f.) envisage at most *abhāva* and *icchā* as impediments, in lieu of the loftier *vairāgya* and *sāmarthyābhāva* mentioned here.

16–18. *sevāsevopakaraṇāni* . . . *sarvāṇi madīyāni*: for the construction, see the analysis in section V, below, on the basis of comparison with the more simply phrased versions.

18–22, 22–26, 28–30. Again, comparison with a simpler version suggests an explanation of Jīva's complicated construction. These three passages recur verbatim in the Kunjadāsa document (see n. 13). Between the first and second set, both Jīva and Kunjadāsa interpolate instructions for action in case of disability. In Jīva's case especially, this insertion stands out clearly as an intrusion into a stereotyped sequence of formulae. Jīva alone adds a subsequent Codicil and also interpolates between the second and third groups of formulae a passage which predicts the eventual provision of a Codicil. As with the prior insertion, 22a–d, the interpolation is quite crass: the *iti* in 27 f. has no grammatical function; the punctuation in 28 f. makes no sense; and the force of *api* in 28 and of *ca* in 30 is obscure as the text stands.

In lieu of 22–30, Kunjadāsa offers the following:

> *atra tu madīyasvahastalekho* [']*yam eva sākṣisahasraṃ*| *yato yo yas tam imaṃ lekhaṃ drakṣyati saḥ sa eva sākṣī syāt*|| || "*tad idaṃ gauḍākṣareṇāpi likhyate*| *tad etad eva pramāṇam iti*| *atha yekecin madiṣṭatamā bhavanti te sarvve* [']*py atra sāhayyaṃ* [sic] *kariṣyantīti prārthyate ca*| *kalyāṇam astu kalyāṇam astu*|".

Here the Bengali-script passage 'that this may be authoritative' follows more immediately upon 'each one may bear witness'. There seems no doubt but that this is the correct juxtaposition. Jīva's grammar and punctuation are at once explained as relics of the original context which has survived in Kunjadāsa. The original sense must be as follows: 'Furthermore this is a document in my own hand, there are 1000 witnesses. For as many as will see the said handwriting, each one may bear witness [the following matter is written in Bengali script] that this may be authoritative. And further it is requested that all whosoever are my most chosen colleagues will collaborate therein. Amen, amen'.

The phrase *tad idaṃ gauḍākṣareṇāpi likhyate* would then be akin to *saṃkalpapatrī* and *parapiṣṭalipi* :. all are likely to stem from a copyist's annotation which has become incorporated into the form of words used by certain subsequent testators. Kunjadāsa, or his copyist, treated the phrase accordingly as the heading for a separate section, entirely in Bengali script. But this heading and the line-filling tailpiece *kalyāṇam astu* are even less appropriately included by Kunjadāsa in the attestation of his allegedly more natural handwriting than is the sentence *atha yekecit* . . . that is used by both testators to justify the change in script. It seems evident from the syntax that *tam imaṃ lekhaṃ* cannot properly refer forward to *tad etad* as a demonstration of one's normal autograph, but must refer to the previous *svahastalekho*.

24–26. *yadi tad idaṃ . . . na spaṣṭīkṛtaṃ, tat khalu saṃpraṇetā kaścit kaścid atra mātsaryaṃ kariṣyatīti vicāryam.* The construction of this innovation is closely parallel to that of the original tailpiece 28–30 (*tad etad eva pramāṇam iti, atha yekecin madiṣṭatamāḥ . . . atra sāhāyyaṃ kariṣyantīti prārthyate ca*). The new proposition, with more ingenuity than coherence, is tacked on to *tam imaṃ lekham* (in the same way as *tad idaṃ gauḍākṣareṇāpi likhyate* was tacked on).

27–28. *jñāpayiṣyāmīti.* Here *iti* has no function, but in the Codicil, where the passage recurs, *iti* has its normal syntactic application. There is therefore a likelihood that the form of words used in the Codicil is the original one. Then, however, the meaning would be the following: 'Since there was an undertaking that, in case of a need for precaution in respect of my death, I should communicate this matter clearly in public, the same is now written.' It can readily be imagined that this formula might well have stood at the end of a Will (where it would have helped to clarify the precise nature of the document as a Will with posthumous effect); as it could not originally occupy its present position in the midst of 22–30 (on the evidence of the Kunjadāsa document), its position would have been at the very end following *prārthyate ca.*

Two developments have then to be postulated. First, the evolution of the Codicil: the formula is understood to look forward to a new and subsequent deposition and, at least in theory, offers the possibility of revocation. The new construction is again modelled on the old: the phrase *tad idam gauḍākṣareṇāpi likhyate* plus the Bengali tailpiece is matched by the phrase *tad eva likhyate ca* plus Codicil. The *likhyate ca* is grammatically absurd, for it links up with *likhyate* at a distance of several sentences and at a chronological remove of two years. The line-filling duplication of *kalyāṇam astu kalyāṇam astu* is faithfully and pointlessly emulated in the Codicil 8–10 v°: *sāhāyyaṃ kartavyaṃ . . . sāhāyyaṃ kartavyam.*

Secondly, we have to postulate the separation of the Codicil from the Will proper, occurring in two different ways. In Kunjadāsa's document, all trace of the undertaking *jñāpayiṣyāmīti* has vanished along with the Codicil. In Jīva's case, however, the Codicil's preamble has generated a corresponding undertaking in the Will proper; and the interpolation of this *lokeṣu spaṣṭam eva jñāpayiṣyāmīti* has doubtless encouraged the further insertion of 24–26 *yadi . . . lokeṣu na spaṣṭīkṛtam . . . .* It also necessitates a revision of the sense that the words *yadi mama maraṇe . . .* are likely to convey in the new context.

5 v° *saṃ likhyate.* Since the suggestion that B here and in line 8 v° understands *saṃ* as an abbreviation (for *saṃkalpapatrī* and *saṃkalpapūrvakam* respectively) is a useful one, especially in the latter case, this solution has been adopted. This implies that Jīva is putting a new interpretation on Raghunāthadāsa's words *saṃlekhya patram* 'dictating the document' (see section V, below). This is not implausible, for Raghunāthadāsa's use of *saṃlikh-* is purely for the sake of the metre, and it seems certain that copyist B, at least, could not accept it as a compound; the wording of the verse as a whole does indeed rather tend to suggest that *saṃkalpapūrvakaṃ likh-* or *saṃkalpapatram* is implicit in Raghunāthadāsa's phrase.

7 *balān neti.* There is evidence in *Sādhanadīpikā* (see n. 10, above), 261 that Kṛṣṇadāsa's succession was contested. The tenor of Jīva's depositions does not encourage us to understand *balāt* as a warning of possible malpractice; but it does seem possible that his formula *balāt* might give rise to unwarranted suspicion after the event. Certainly *Sādhanadīpikā* was unable to offer any evidence of violence, and it seems to be ignorant of the role of Śrīvilāsadāsa.

8 *rāmadāsavaiṣṇavena*. It would be pleasant to recognize here a Sanskrit 'John Citizen'; this name too is unknown from elsewhere. The formula must be intended to give effect to the previous formula *sarvair vaiṣṇavaiḥ . . . daṇḍyaḥ* in 21 f. r° (via the expansion in 29 f.).

V

The information contained in the Will, though simple enough, has important implications for the history of the period. The document gives the first absolutely secure first-hand attestation of several personalities of the period: Gadādharabhaṭṭa, the kathak invited to Vrindaban by Jīva himself (see *Bhaktamāla, Bhaktanāmāvali*); Rāghavapurohita, if he is to be identified with Rāghavapaṇḍita of Govardhana (ib.); Śrīvilāsadāsa, successor to Jīva as Shebait of the Rādhādāmodara Temple (see *Bhaktanāmāvali* and document of A.D. 1637)[15]; Kṛṣṇadāsa son of Bhāratācārya, author of a comm. on Jīva's *Kṛṣṇārcanadīpikā* (see *Sādhanadīpikā, Bhaktiratnākara,* and document of A.D. 1637); Gopīnāthadāsa, Shebait of Rādhāramaṇa Temple, Vrindaban (see *Bhaktiratnākara*). Two of the witnesses are leading figures of the period: Haridāsa, Shebait of Govinda Temple, Vrindaban (see *Caitanyacaritāmṛta, Bhaktiratnākara,* and several documents) and Kṛṣṇadāsakavirāja, author of *Caitanyacaritāmṛta*, whose survival into the seventeenth century has been contested, wrongly as it would now appear.

For Jīva, the leader of the Gauḍīya community, we obtain a fixed point of reference with which the various more traditional biographical data can be compared. According to the *Mahāprabhvādiprākaṭyasaṃvatsarāṇi*, a Braj manuscript in the City Palace Museum, Jaipur (acc. no. 5171, 1½ folios, associated with Jai Singh's searches in Vrindaban *c.* A.D. 1700; informant A. K. Roy, Jaipur), Jīva's life spanned 85 years: born V.S. 1580, A.D. 1523; arrived in Vrindaban V.S. 1604, A.D. 1547; died Pauṣa śukla 3 1665, i.e. Dec. A.D. 1608. There is also a report to the effect that Jīva was dead by A.D. 1611.[16] It must now appear certain that the dates given in the Jaipur manuscript are based on an inspection of documents then available in Vrindaban, since the date given for the death is precisely that of the death-bed Codicil.

It had previously been calculated that Jīva would have to have been born before A.D. 1516; this is the latest date assignable to the reported death of his father Vallabha en route home to Bengal from a meeting with Caitanya at Prayāg. The best (because datable) source for this is *Caitanyacaritāmṛta* whose colophon bears a date corresponding to A.D. 1612[17]; it is also the only biography that mentions the existence of Vallabha's son Jīva. If we compare Jīva's handwriting in 1606 with two really senile-looking signatures in the text verso, we may have difficulty in accepting that his age was then upwards of 90 years as the calculation seems to imply. Since one may suspect that the Jaipur manuscript's date for the death is in fact a *terminus post quem*, it remains possible that the date of birth given is a *terminus ante quem.* The date which it assigns to Jīva's arrival in Vrindaban is perfectly plausible (see below).

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[15] Document belonging to Govinda Temple, Jaipur, dated Saṃvat 1694; a photograph will be among those deposited in SOAS Library.

[16] See Sukumar Sen, *Bāṅgālā sāhityer itihās*, I, 1, Calcutta, 1963, 309. Jīva's death is alluded to in a manuscript dated Śāka 1532.

[17] *Cc.* III, 1; see Bimanbihari Majumder, *Śrīcaitanyacariter upādān*, Calcutta, 1939, 149. The commonest reading for the colophon dating of *Cc.* is *śāke sindhvagnibāṇendau* (Ś. 1534, A.D. 1612–13). Possibly, however, it is **bindvagnibāṇendau* (Ś. 1530, A.D. 1608–9) that is the source reading of the variants attested, e.g. *ṣindvagni°* (VṚI manuscript, acc. 708), *agnibindu°* (S. K. De, *Early history of the Vaiṣṇava faith and movement in Bengal*, Calcutta, 1961, 56, n. 2).

A later tradition (early eighteenth century) has been held to attest an actual encounter between Caitanya and Jīva himself at Rāmakeli, i.e. in 1513. This apparently independent confirmation that he was over 90 years old in 1606 is without serious foundation. Narahari Cakravartī (*Bhaktiratn.*, 50) is the informant:

śrījīva dekhāye svapane kiñcit nidrāya.
rāmakeli grāme yaiche dekhila svapane,
serūpe dekhe gauracandra gaṇa sane.
' Sleeping a while, Jīva sees them in a dream.
Just as he had seen them in Rāmakeli in a dream
so he sees Caitanya and his followers.'

In the face of this explanation it is hard to understand how Bimanbihari Majumder (*Śrīcaitanyacariter upādān*, Calcutta, 1939, 149) could mistake the import of Narahari's account of Jīva's earlier vision of Caitanya at Rāmakeli (*Bhaktiratn.*, 45):

śrījīvādi saṃgopane prabhure dekhila,
atiprācīnera mukhe e saba śunila.
' Jīva and others saw Prabhu Caitanya in a place of concealment,
so I am told by a very old man.'

The biographies of Caitanya know of no actual meeting, and Narahari seems to have considered it self-evident that the interview must be imaginary (unless *saṃgopane* should be understood to imply some such sense).

Jīva's arrival in Vrindaban, at the time when he was to have been married (according to a manuscript that has proved reliable, see n. 16), took place after Caitanya's death in 1533. This follows from Kṛṣṇadāsakavirāja's assurance that Jīva visited en route, not Caitanya, but Caitanya's successor as head of the sect, Nityānanda.

The first documentary evidence of Jīva's activities is the deed recording his purchase of a plot of land in A.D. 1558, identifiable as that on which it was proposed to build Rādhādāmodara Temple (see n. 9, above). His senior uncles, presumably his guardians, were already landowners (*deśādhikāriṇau*, according to the manuscript mentioned above, n. 16), and Jīva is already styled *gusāi* (Gosvāmī) in the deed of sale. His reputation in Bhakti theology was established by 1561 (*Vaiṣṇavavandanā* of Devakīnandana); and his first and last major publications are dated 1552 and 1592 respectively.[18]

In the VRI collection (ser. 9, acc. 1), there is an order issued by the Emperor Akbar dated A.H. 999 (A.D. 1590) in which he gives official recognition to the custodians of Govindadeva and Madanamohana Temples in response to a petition from Rājā Toḍar Mall on behalf of Jīva Gosvāmī, in whose care the temples had been left. These were the temples founded by his uncles Rūpa and Sanātana. Jīva may have had more difficulty in providing for the future security of these foundations, since the actual Shebaitship was not his own; on the other hand, we find Jīva's nominee Kṛṣṇadāsa taking similar measures in respect of his own office (see n. 20, below).

The Will and other associated documents are thus proving to be satisfactorily consistent with data preserved in the literary tradition. Apart from Raghunāthadāsa's (see below), no settlement has been found for any of the other early Gosvāmīs. It has by no means been possible to study all the Vrindaban archives with equal care, however.

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[18] Of 25 titles attributed to Jīva, *Mādhavamahotsava* bears the date V.S. 1609, and *Gopālacampū* V.S. 1649. A *Saṃkalpakalpadruma* attributed to Jīva in old age (*vṛndāraṇye jarañ jīvaḥ . . .*, 1.4) cites *Gopālacampū*, see S. K. De, op. cit., 157.

The deposition of Jīva's eventual beneficiary Kṛṣṇadāsa is in Hindi and refers to a previous settlement of Kṛṣṇadāsakavirāja in favour of Haridāsa [19]:

> *śrī kavirāja jī ke ghara mātra vinā kavirāja jī āpano ghara śrī adhikārī haridāsa gusāi koṃ die he.*
>
> '. . . excepting only the dwelling of Śrīkavirāja. Kavirājajī had previously bequeathed his dwelling to Śrī Adhikārī Haridāsa Gosvāmī'.

The document not only thus records an incidental transaction between two of the witnesses to Jīva's Will, it also confirms that the provisions of the latter were carried out:

> . . . *saṃvat 1694 varṣe vaiśākha sudi 3 śubha dine likhita sugṛhī[ta]nāmadheyaśrījīvākhyamahāmahimacaraṇānucara kṛṣṇadāsa. āge śrīrūpasanātanaraghunātha gusāi āpano pustaka ṭhaura śrīvṛṃdāvana ke śrīkuṃḍa ke kāgatupatra sava śrījīva gusāi ke die tina die vilāsadāsa ke ve die hama kauṃ vaḍenu kī ājñā te. ava hama tina mai śrīkuṃḍa ke śrīdāsa gusāi ke ṭhaura ghara tāsauṃ juḍe śrījīva gusāi ke ghara kuṃja bhītara bāhira sava die purohita caudharī śrīkiśora sotī koṃ kṛṣṇārpaṇa kari cauve hṛṣīkeśa ādi paṃcanu ke āge* . . . .
>
> 'On day 3 of the light half of month Vaiśākha in the Saṃvat year 1694 (A.D. 1637) the following is written by Kṛṣṇadāsa, a follower in the footsteps of His Reverence the happily named Śrījīva.
>
> 'Whereas previously Śrīrūpa Gosvāmī, Śrīsanātana Gosvāmī, and Śrīraghunātha Gosvāmī conveyed libraries, premises in Śrīvṛndāvana and Śrīkuṇḍa, documents, all their property to Śrījīva Gosvāmī, and Jīva conveyed the same to Vilāsadāsa, and Vilāsadāsa conveyed the same to me on the authority of the master,
>
> 'Of those I do now convey premises in Śrī(rādhā)kuṇḍa, the dwelling place of Śrī(raghunātha)dāsa Gosvāmī and adjacent thereto the dwelling and garden of Śrījīva Gosvāmī, the area within and the area without, all my property to Purohita Caudhuri Śrīkiśora Sotī, in presence of Hṛṣīkeśa Caube, etc., the men of the Panca.'

The name of *cauve riṣīkesa* duly figures among the witnesses. The document proceeds to give the boundaries of the 'area within' Rādhākuṇḍ and the 'area without', and these can be reasonably plainly recognized in terms of the sect's present-day property in Rādhākuṇḍ. It is amply confirmed in its turn by other documents acquired for the VRI.[20]

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[19] A copy, together with a Persian version, is in the hands of Pradyumna Kumar Goswami, present custodian of Govindadeva Temple, Jaipur, who permitted T. Mukherjee to photograph a number of documents from his large collection mainly of material from the Rajasthan courts. The Goswami had the extreme kindness to sit with him for ten days reading out the contents of the documents as they were photographed.

[20] VRI, ser. 3, acc. 37 states that Raghunātha, one of the 'six Gosvāmīs' of Vrindaban, bequeathed his possessions to Jīva Gosvāmī; VRI, ser. 24, acc. 86 of A.D. 1545 records Raghunātha's purchase of land from the Pañca of Rādhākuṇḍ for dumping soil from the digging of the Rādhākuṇḍ tank; others are sale deeds for properties acquired by him at Rādhākuṇḍ, 14 miles from Vrindaban.

VRI, ser. 68, acc. 3 is a *farmān* issued in A.D. 1646 by Shāhjahān and recognizing 'Kṛṣṇadāsa, a disciple of Jīva Gosvāmī' as legal custodian of a temple, evidently Rādhādāmodara. It would be appropriate to assume that the recognition proceeded on the basis of a scrutiny of Jīva's *saṃkalpa* at the Mughal Court.

From VRI, ser. 11, acc. 21 and VRI, ser. 12, acc. 30, it is known that the custodianship of

It would be difficult to construe either definition of the property in question without the hypothesis of rival expansion of a simple basic formula. The Jīva Codicil listed the following:

(i) *sarvaṃ*; (ii) *pustakāni*; (iii) *śrīgosvāmigṛhaṃ ca.*

The separation of (i) and (ii–iii) introduces one possibility of confusion. The other versions incapsulate (ii) and (iii) in (i) which could be equally obscure, but taken together the intention is relatively clear. The Jīva *saṃkalpapatrī* has a complex formula:

(i) *sevāsevopakaraṇāni* . . . *sarvāṇi madīyāni*; (ii) *pustakaparyantāni*; (iii) *sevyasahitāni sthānāni.*

The Hindi of Kṛṣṇadāsa combines the *gosvāmigṛha* concept of the Codicil and the alternative *sevyasahitāni sthānāni* phrase of the Will, but suppresses the reference to Hindu worship:

(i) *āpano* . . . *sava*; (ii) *pustaka* . . . *kāgatupatra*; (iii) *ṭhaura* (= *sthāna*) *śrīvṛṃdāvana ke* . . . *gusāī ke ṭhaura ghara.*

Here (iii) is even partly incapsulated in (ii), which is then incapsulated in (i). The distinction between *pustaka* 'books' and *kāgatupatra* 'documents' is not made in the Sanskrit.

It will be observed that Jīva's formulae were preoccupied with the idea of usurpation of office or of the perquisites of office: the question of freehold estate does not arise explicitly. Kṛṣṇadāsa's document is concerned with land and buildings, to all intents freehold: for, just as Jīva relies on the authority of his own signature for the transaction, so Kṛṣṇadāsa merely calls on the members of the Panca to attest his title to the property and to witness its conveyance. One might conclude that the Panca has the function of a land registry.

There is thus a *prima facie* case for suggesting that a fundamental change took place between 1606 and 1637 in Vrindaban. Two uncles of Jīva were described as *deśādhikārī*, 'landowner', and Jīva owned the land on which his temple was to be built. Four of the other Gauḍīya Gosvāmīs were apparently in the same position, Rūpa, Paramānanda, Sanātana, and Gopālabhaṭṭa founding Govindadeva, Gopīnātha, Madanamohana, and Rādhāramaṇa Temples in Vrindaban, while another, Raghunāthadāsa, established a complementary foundation at Rādhākuṇḍ. The bulk of these holdings came into the possession of Kṛṣṇadāsa, and we find him preoccupied, not with any threat of removal from employment, but with the danger of encroachment on boundaries. Jīva's brief, formulaic *svamaryādā rakṣaṇīyā*, to which in its context we assigned a metaphorical sense implying 'do not encroach upon my authority', is being taken literally by Kṛṣṇadāsa.

There was, however, probably little practical change. On the one hand,

the temple and the property remained in the hands of Kṛṣṇadāsa's descendants for at least a century. After his death, two nephews, Rādhāvallabha and Nandakumāra, came from Bengal to assume the custodianship.

According to VRI, ser. 8, acc. 68, Nandakumāra's son Brajakumāra was custodian in 1691. His widow divided the property between Brajakumāra's nephew Gopīramaṇa and grandson Gopīnātha; in a dispute Gopīramaṇa had the support of the men of the Panca for his contention that a daughter's son could not succeed to the custodianship.

The rendering of Kṛṣṇadāsa's second sentence has the support of the Persian translator (who is, however, often wildly inexact): *tamāmī postak-hā va tamassuk-hā va isthal*[-*i*] *śrī brindāban va śrī rādhākuṇḍ*[-*i*] *khudrā ba jīv gosāī dādand.* The authors are indebted to D. J. Matthews, SOAS, for a reading of the Persian and to R. D. Gupta, SOAS, for advice on the interpretation of Braj material.

we have seen that a certain Kunjadāsa uses a version of the Jīva Will, more primitive in its formulation than his, over a century later. On the other hand, Jīva's and Kṛṣṇadāsa's formulations of the same transaction represent two rival expansions of the simple format attested in the Jīva Codicil, and Kṛṣṇadāsa's later document is not obviously a linear descendent of the other. It makes no good sense to suppose that *sevādhikāra* or custodianship, which Kṛṣṇadāsa fails to mention, either was not included in his own transaction or could no longer apply to it. We may infer that custody of the Rādhākuṇḍ foundation came within the definition of *sevā* from the wording of Raghunāthadāsa Gosvāmī's original settlement of A.D. 1584:

> . . . *kavirājato 'ṃtasamaye saṃlekhya patraṃ mayā*[,]
> *aṃdhaśrīraghunāthadāsalaghunā śrīkuṃḍasevaiṣiṇā*
> *jīvārādhyapadāṃbujeṣu nihitaṃ sarvaṃ mamatvāspadaṃ.*
> '. . . dictating the document to Kavirāja on my death bed, I, the humble blind Raghunāthadāsa zealous for the service of Śrīrādhākuṇḍa, hereby place the whole of my property at the lotus feet of the idol worshipped by Jīva [i.e., in effect, donate it to Rādhādāmodara Temple].'

(two copies: VRI, ser. 3, acc. 37; ser. 4, acc. 37A; the formula *sarvaṃ mamatvāspadam* is even more succinct than Jīva's).

Perhaps we should conclude that there was occasion for both types of document, the *saṃkalpapatrī* resting on the authority of the Gosvāmī as owner, and the certificate of land registration requiring the affidavit of the Panca as witness and a Persian rendering for the benefit of the state authority. The office of chief custodian (Shebait, sevāyat; in the Gauḍīya texts, *sevādhikārī, sevādhipati*) is generally recognized to possess just such an ambiguity as is demonstrated by the whole range of the texts considered. 'Shebaitship is not a mere office, it is property as well' (B. K. Mukherjea, *The Hindu law of religious and charitable trusts*, Calcutta, 1970, 159). Kṛṣṇadāsa uses the term *kṛṣṇārpaṇa* where Jīva uses only *samarpaṇa*; but this is evidently a question of the language medium adopted, and we cannot suppose that the notion of the deity as the actual owner [21] of the property held by the Gosvāmīs had had time to supervene and be reduced to a metaphorical cliché (as Kṛṣṇadāsa's use of the term implies) all within the space of 30 years.

VI

Colebrooke, in his translation of Jagannātha Tarkapancānana's (fl. A.D. 1785) law-book *Vivādabhangārṇava* (*A digest of Hindu law*, London, 1801, II, 516), describes *saṃkalpa* there as the 'nearest term for testament' in Sanskrit. Wilson explains the term as 'the declared wish or will of a person deceased, made known before his decease, with regard to the disposal of property, adoption of son, or the like, made before witnesses, this is considered in some degree as equivalent to a will or testament'. The reason for their hesitance is not made obvious. Wilson knew of written Wills in the Anglo-Indian Courts: '*wasiatnama* "a written will or a testament: the will"'; '*samvitpatra* "a deed of assent, a deed of gift, applied in the Anglo-Indian Courts to a will, a testament"'.[22] If we ignore the intrusion of a misguided etymological explanation 'assent', it seems it may be the standard use of the verb *dā-*, *samarp-* 'give' in the Hindi and Sanskrit versions that is puzzling Wilson, just as Jīva hesitated between *samarpitā* and *samarpaṇīyam* as against Hindi *diyā*. The fact that Sanskrit śāstra does not widely acknowledge the concept *saṃkalpa*, and a doubt whether any document of that name really existed, are probably also in question. Colebrooke adds 'But strictly, a last will and testament is unknown to the *Hindu* law'. Wilson repeats this opinion: a testament 'strictly speaking is not recognized by Hindu law'; but Colebrooke had subsequently changed his mind: the case of Nadīyā Rāja (*Eshanchund Rai* v. *Esherchund Rai*, 1 Select Rep. 2) 'has been treated by Mr. Colebrooke and others as an authority that a Hindu father has power to make an actual disposition of property by will'. See G. S. Henderson, *The law of testamentary devise as administered in India*, Calcutta, 1889, 26.

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[21] The sevāyat is 'empowered to do whatever may be required for the service of the idol and for the benefit and preservation of its property' (B. K. Mukherjea, op. cit., 154).

[22] H. H. Wilson, *A glossary of judicial and revenue terms*, London, 1885, s.v. M. Monier-Williams (*Skt.-Eng. Dict.*, s.v.; *RTL*, 531) cites *svīkārapattra* 'document or will disposing of one's property'.

The term *saṃkalpa* does have sanction in medieval Smṛti, not in the general sense 'vow' seen in the early literature, but as part of a specific ritual used in the dedication of temples, images, tanks, *dharmaśālās*, etc. The *saṃkalpa* states the purpose and date of the ceremony, and the ceremony itself is termed *samarpaṇa* or *utsarga*.[23]

Should one conclude that *samkalpapatrī* is a modern reduction to writing of a somewhat older ritual? No doubt the Will does stem ultimately from an oral dedication or agreement: but it is hard to believe that the ritual thus described is more than an effort to reconstruct a primitive oral Smārta ritual on the basis of the written practice. Derivation of the word *saṃkalpa* from ordinary attested senses like 'vow' presents no difficulty, and the Smṛti sources seem to be basing their terminology on the written deposition, rather than vice versa. The Jīva document is divided precisely into (1) a preamble where the word *saṃkalpa* happens to occur prominently in association with a dedication to the deities and with a date (the Smṛti requires that *saṃkalpa* shall contain era, year, month, day, etc.); and (2) a *samarpaṇa*. Possibly the Codicil's *adyaiva dā-* formula might constitute an *utsarga* as opposed to *saṃkalpa*. B. K. Mukherjea solemnly defines the present-day legal implications of the ritual: 'only a relevant piece of evidence to show that the donor effectively renounced his rights in the property in favour of the religious purpose' (op. cit., 122).

Jīva's document meets the requirements of a Will as defined in the Indian Succession Act of 1865: 'A will is the legal declaration of the intention of the testator with respect to his property which he desires to be carried into effect after his death'[24]: the two invariable modern tests of whether a document is testamentary or not are whether it is revocable and whether it is a posthumous disposition. A limited right of revocation may be claimed on the basis of lines 22a–d . . . *vicārya samādheyaṃ mayaiva* and consequently will also inhere in the formula 26–28 r° *spaṣṭam eva jñāpayiṣyāmi*: an alteration of circumstances appears to be prerequisite, but the implication is that the testator is to be the sole judge of what constitutes altered circumstances. The force of *madanantaram* in 10 r° and several references to continued life and to the event of death (11, 22c, 26 r°, 1–2 v°) make it clear that the document will have no effect during the testator's lifetime. On the one hand, it can be observed that documents like Kṛṣṇadāsa's and Kunjadāsa's, by implication, are likely to be subject to the same constraints as Jīva's. On the other, it is plain that few if any after Jīva were concerned to safeguard the right of revocation; his document is perhaps merely an interesting example of how a revocable Will could come into being without any very profound legal considerations being applied to the matter. The conveyance of a Shebaitship appears to have remained a special case in this respect.

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[23] See V. N. Mandlik, *The Vyavahāra mayūkha*, Bombay, Appendix 2, 331–44: Hemādri, *Dānakhaṇḍa*; Kamalākara Bhaṭṭa, *Pūrtakamalākara* and *Dānakamalākara*; Nīlakaṇṭha, *Pratiṣṭhāmayūkha*; and Raghunandana, *Pratiṣṭhātattva*. See also J. D. M. Derrett, *Dharmaśāstra and juridicial literature*, Wiesbaden, 1973, 19 and 56 f. *Manu*, II, 1 ff. could be referring to this ritual context when *yajña* is described as rooted in *saṃkalpa*; and a connexion with *saṃkalpa* as 'disposition of property' might be suspected in the case of *saṃkalpamūla kāma*, if we recall Jīva's *saṃpraṇetā . . . atra mātsaryaṃ kariṣyati*.

[24] Quoted from Phillips and Trevellyan, *The law relating to Hindu wills*, London, 1914, 12.

Jīva's *saṃkalpa* contains nothing that would disprove its validity if presented in court today. In 1723, Kunjadāsa nominated his nephew and disciple Rādhāvinodadāsa to succeed him, in a form corresponding to Jīva's save that the disposition proper was in Hindi and that none of the special testamentary features (revocation, posthumous disposition, and use of the term *saṃkalpa*) was included. In the period around 1800, however, probates were granted with the concurrence of the pandits of many Wills which in form and content were less acceptable than this.[25] Herbert Cowell says that it was a common practice of the custodians to appoint their successors 'either by word of mouth, or in writing; the appointments taking effect after the moment of their death'. He concludes 'However infrequent litigation may have been concerning Hindu wills, it seems to be firmly established that they are not of foreign importation. They appear to have been in use not merely in Bengal but throughout India before the establishment of the English courts'.[26] Even today Shebaitship can be disposed of by Will, and several court cases are cited in which the founder of an endowment nominated the custodian by Will (Mukherjea, 159 f.).

[25] See the cases cited in W. A. Montriou, *The Hindu will of Bengal*, Calcutta, 1870.

[26] *The Hindu law*, Calcutta, 1871, 226 f., 229. Granted that Cowell's definition of Will here may be a lax one, the commonly received idea that Wills as generally understood were entirely unknown in pre-modern India is indefensible. G. S. Henderson postulated an English origin for Hindu Wills, and justified their absence by arguing that the right to dispose of property by Will was a departure from the principle underlying the joint Hindu family which did not allow the individual a right of property. *The law of testamentary devise as administered in India*, Calcutta, 1889, 19 ff. There are, however, large areas of Hindu society where traditional Smṛti and the joint family system do not operate. The Gauḍīya Vaiṣṇava community in particular evolved in *Haribhaktivilāsa* 'a *smṛti* of its own on the basis of its own sectarian scriptures' (S. K. De, *Early history*, 409). The Judicial Committee in 1856 admitted that 'the strictness of the ancient law has long since been relaxed, and throughout Bengal a man who is the absolute owner of property may now dispose of it by will as he pleases, whether it be ancestral or not' (Phillips and Trevellyan, 2). None of the wills cited by Montriou, for example, is older than the nineteenth century; but on the evidence of Jīva's Will, Cowell was right in concluding that 'the law of wills amongst Hindus is a part of the Hindu law of succession, and not a mere usage which has grown up in the modern times borrowed from English usage'.